

A G E N D A

PART 201 DISCUSSION GROUP
Brownfield Work Group
Public Sector Consultants, Lansing, Michigan
February 12, 2007

1:00–1:05 PM	Welcome and introductions	Bill Rustem
1:05–3:00 PM	Discuss revised recommendations	Bill Rustem and all
3:00–4:30 PM	Items left to address: <ul style="list-style-type: none">• Criteria for prioritization• Eligible activities• Work plan approvals• Others?	All
4:30–4:45 PM	Next steps and assignments*	Bill Rustem
4:45–5:00 PM	Public comment	

**If we determine more time is needed for discussion, a sixth and final meeting of the Brownfield Work Group will be held on February 21, 9:30 AM-12:30 PM, at Public Sector Consultants.*

DATE: May 10, 2004

TO: State Tax Commission

FROM: Dennis W. Platte, Executive Secretary
State Tax Commission

RE: REPORT TO THE LEGISLATURE REGARDING BROWNFIELD
REDEVELOPMENT AUTHORITIES

Public Act 381 of 1996 requires that the State Tax Commission submit an annual report to the Legislature based on information contained in the annual reports filed by Brownfield Redevelopment Authorities. Attached is information that I propose to include in the report to the Legislature.

Encl.

On February 17, 2004, the State Tax Commission sent the attached form 3737 to 277 Brownfield Redevelopment Authorities located in Michigan. This form requires Brownfield Redevelopment Authorities to report the status of their activities for their fiscal year ending in 2003. This is as required by Public Act 381 of 1996.

Also attached is a spreadsheet, which summarizes some of the responses of the authorities.

It is significant to note that of the 277 Brownfields Authorities 84 projects have been approved by the Michigan Department of Environmental Quality or the Michigan Economic Growth Authority to capture school taxes. Of these 84, only 11 actually captured tax increment revenues during the year 2003. The average amount captured by these 11 was \$49,585.

If any legislator wishes to have further information from the report regarding a specific Brownfield Redevelopment Authority, please contact Dennis W. Platte, Executive Secretary, State Tax Commission at (517) 373-3554.

BROWNFIELD REPORT 2001

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible Expenses?
City of Allegan	3/23/1998	Water Street	Yes	No
City of Alpena	3/17/1997	None	No	No
City of Auburn	5/18/1999	None	No	No
City of Auburn Hills	9/21/1998	Lamppost L.C.C. Project & Manabal Auburn Hills IV	No	No
City of Auburn Hills	9/21/1998	J.A.R. Development Site	Yes	Yes
City of Bangor	10/13/1997	None	Yes	No
City of Battle Creek	1/20/1998	None	No	No
City of Bay	2/6/1998	Bukowski Project-Day Escape	Yes	No
City of Bay City	2/6/1998	Bukowski Project-Day Escape	Yes	No
City of Belding	2/26/1997	None	No	No
City of Bessemer	12/21/1998	None	No	No
City of Bridgman	1/25/2000	None	No	No
City of Brighton	3/19/1998	None	No	No
City of Bronson	2/8/1999	None	No	No
City of Buchanan	3/23/1999	Third Street Brownfield Plan & River Street Brownfield Plan	No	No
City of Cadillac	12/2/1996	City of Cadillac Redevelopment Plan	Yes Brasseur Site Only	No
City of Clare	1/17/2000	None	No	No
City of Coloma	7/26/1999	None	No	No
City of Davison	5/11/1998	None	No	No
City of Dearborn	5/28/1997	Sharon Steel	Yes	No
City of Dearborn Heights	10/14/1997	EZ Mini Storage Project Ann Arbor Trail	Yes	No
City of East Jordan	1/5/1999	McDonald's Corp.	No	No
City of Eastpointe	3/17/1998	None	No	No
City of Eaton Rapids	9/14/1998	None	No	No
City of Escanaba	6/17/1999	None	No	No
City of Essexville	2/10/1998	None	No	No
City of Farmington	2/14/2000	Eleven Pines	No	No
City of Ferndale	09/00/1999	None	No	No
City of Flint	7/28/1997	None	Yes	No
City of Frankfort	4/17/2000	Brownfield Assessment Project	No	No
City of Gladstone	1/12/1998	None	No	No
City of Grand Haven	12/7/1998	Not Applicable At This Time	No	No
City of Grand Ledge	3/8/1999	None	No	No
City of Grand Rapids	12/22/1998	None	Yes	No

BROWNFIELD REPORT 2001

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible Expenses?
City of Grandville	9/14/1998	None	No	No
City of Harbor Beach	9/7/1999	Site#1-Waterfront Redevelopment	No	No
City of Hastings	8/25/1997	None	No	No
City of Hazel Park		None	No	No
City of Hillsdale	4/29/1999	None	No	No
City of Houghton	3/26/1997	Former High School Building	Yes	No
City of Ionia	4/8/1997	Gen Corp Site Property	Yes	No
City of Ironwood	9/8/1997	None	No	No
City of Ishpeming	8/6/1997	None	Yes	No
City of Jackson	4/2/1997	Jackson 21-Consumer Energy	No	No
City of Kalamazoo	6/1/1997	Amended and Restated Brownfield Plan	Yes	Yes
City of Kingsford	6/21/1999	None	No	No
City of Lansing	8/18/1997	None	No	No
City of Lapeer	1/19/1998	None	No	No
City of Litchfield	7/12/1999	Former Simpson Property, 126 Marshall, Former Union 76 Gas Station, Jonesville Road (M-99)	Yes	No
City of Marquette	9/8/1997	Lakeshore Inc.	No	No
City of Marshall	12/15/1997	None	No	No
City of Melvindale	6/18/1997	None	No	No
City of Menominee	2/16/1998	Americinn	No	No
City of Midland	7/12/1999	None	No	No
City of Milan	3/24/1997	None	Yes	Yes
City of Monroe	1/21/1997	Site #7 - 120 Maple Boulevard	Yes	No
City of Monroe	1/21/1997	Site #6 - Port of Monroe/Schonscheck Project	Yes	Yes
City of Monroe	1/21/1997	Site #5 - 214 East Elm Avenue	Yes	No
City of Monroe	1/21/1997	Site #4 - Mason Run Project	Yes	No
City of Monroe	1/21/1997	Site #3 - Front/Monroe Street	Yes	No
City of Monroe	1/21/1997	Site #2 - 1151 West Elm Ave	No	No
City of Monroe	1/21/1997	Site #1 -815 North Telegraph Road	Yes	No
City of Montague	11/17/1997	Northland Castings Corp.Site CMI Grant	No	No
City of Morenci	9/22/1997	A-1 Auto Supply	No	No

BROWNFIELD REPORT 2001

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible Expenses?
City of Mount Clemens	None	Does not yet have a Brownfield Authority. Only a District	No	No
City of Mount Pleasant	5/12/1997	None	No	No
City of Muskegon	7/29/1997	None	No	No
City of Muskegon Heights	3/29/1999	None	No	No
City of Niles	7/28/1998	None	Yes	No
City of Otsego	5/18/1998	None	No	No
City of Owosso	4/21/1997	Owosso Cinema, Inc.	No	No
City of Parchment	9/28/1998	None	No	No
City of Pinconning	6/1/1998	Senior Housing Project	No	No
City of Plainwell	6/30/1997	None	No	No
City of Plymouth	12/16/1996	None	No	No
City of Pontiac	12/18/1997	USP Holland Trucking	No	No
City of Port Huron	3/10/1997	None	No	No
City of Riverview	4/7/1997	None	No	No
City of Rogers City	10/5/1998	None	No	No
City of Romulus	7/13/1998	None	No	No
City of Roosevelt Park	9/15/1997	None	No	No
City of Saginaw	9/29/1997	None	No	No
City of Sault Ste. Marie	11/17/1997	Wlohart Special Prod. &Soo Plastics	No	No
City of South Haven	5/18/1998	Karl Schmidt Unisia & Wyckoff Chemical Inc	Yes	Yes
City of Springfield	11/16/1998	None	No	No
City of St. Clair Shores	2/18/1997	None	No	No
City of St. Joseph	5/12/1997	Edgewater Brownfield Project & Island Pointe Marina Project	Yes	No
City of Sturgis	04/10/1997	None	No	No
City of Taylor	2/18/1997	Site #1 7000 Monroe	No	No
City of Three Rivers	7/15/1997	None	No	No
City of Trenton	2/16/1998	DSC, Ltd. Site	No	No
City of Troy	10/00/1999	Troy Development	No	No
City of Wakefield	3/20/1998	None	No	No
City of Walker	6/23/1997	Louis Padnos Iron and Metal Co. Also H. Brown Project	No	No

BROWNFIELD REPORT 2001

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible Expenses?
City of Watervliet	1/14/1997	Watervliet City	No	No
City of Westland	2/18/1997	None	No	No
City of Whitehall	9/22/1998	None	No	No
City of Wyandotte	8/25/1997	Brownfield Redevelopment Authority	No	No
City of Wyoming	5/19/1997	No	No	
City of Ypsilanti	6/3/1997	None	No	No
County of Antrim	2/11/1999	None	No	No
County of Berrian	5/4/2000	None	Yes	No
County of Charlevoix	7/26/1999	None	No	No
County of Chippewa	12/12/1997	Chippewa County	No	No
County of Emmet	12/14/2000	No Project at this time	No	No
County of Gratiot	9/15/1998	None	No	No
County of Iron	10/12/1999	None	Yes	No
County of Jackson	7/14/1998	None	No	No
County of Saginaw	5/18/1999	Brownfield Redevelopment	Yes	No
County of Sanilac	2/16/2000	None	No	No
County of Washtenaw	5/19/1999	None	No	No
County of Wayne	7/7/1997	None	No	No
Township of Battle Creek	9/15/1998	None	No	No
Township of Bridgeport	12/8/1999	None	No	No
Township of Brownstown	9/15/1997	None	No	No
Township of Calumet	3/10/1999	None	No	No
Township of Carplake	9/16/1998	None	Yes	No
Township of Central Lake	7/10/1998	Brownfield Redevelopment Authority	No	No
Township of Coloma	11/12/1997	None	No	No
Township of Dalton	3/2/1996	None	Yes	No
Township of Emmett	4/8/1999	None	Yes	No
Township of Grosse Ile	2/21/1997	Grosse Ile Airport/Commerce Park Redevelopment and Reuse	Yes	Yes
Township of Hamburg	9/28/1999	None	No	No
Township of Hampton	10/12/1999	None	No	No
Township of Kalamazoo	8/25/1997	None	No	No
Township of Kawkawlin	5/15/2000	None	No	No

BROWNFIELD REPORT 2001

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible Expenses?
Township of Kinross	03/00/1999	None	No	No
Township of Lake	12/20/1999	None	No	No
Township of Marenisco	9/23/1999	None	No	No
Township of Midland	7/12/1999	None	No	No
Township of Monroe	7/21/1998	None	No	No
Township of Muskegon	4/20/1998	None	No	No
Township of Negaunee	6/17/1999	None	No	No
Township of Owosso	00/00/1998	Colonel's Property	Yes	No
Township of Redford	Feb-99	Rite on Industries	No	No
Township of Saginaw	5/24/1999	None	No	No
Township of Sheridan	3/21/2000	None	No	No
Township of Torch Lake	2/10/1999	None	No	No
Township of Tuscola	00/2000	None	No	No
Township of Vassar	10/28/1997	Destiny, LTD, Inc.	No	No
Township of Watervliet	4/21/1997	None	No	No
Township of Wells	6/22/1999	None	No	No
Township of Wells, Delta County	8/18/1999	None	No	No
Township of West Branch	8/18/1999	None	No	No
Township of West Branch,Ogemaw	5/27/1998	Old Refinery Site	No	No
Township of Ypsilanti	4/15/1997	None	No	No
Village of Baraga	8/9/1999	Baraga Brownfield Redevelopment	No	No
Village of Caro	12/30/1997	Gagetown Gas & Oil	Yes	No
Village of Dundee	2/4/1997	Site #1 Barger/Mercer & Site #2 Cabela's	Yes	No
Village of Elberta	3/20/1997	None	No	No
Village of Fowlerville	3/3/1997	None	No	No
Village of Holly	8/25/1998	None	No	No
Village of L'Anse	12/18/1998	None	No	No
Village of Mendon	9/13/1999	None	No	No
Village of Spring Lake	7/14/1997	Harbor Steel & Supply Corp.	No	No
Village of Vicksburg	3/2/1998	None	No	No

BROWNFIELD REPORT 2002

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Allegan	3/23/1998	Water Street	Yes	Yes
City of Alpena	3/17/1997	None	No	No
City of Auburn	5/18/1999	None	No	No
City of Auburn Hills	9/21/1998	Lamppost L.C.C. Project & Manabal Auburn Hills IV		
City of Auburn Hills	9/21/1998	J.A.R. Development Site	Yes	Yes
City of Bangor	10/13/1997	None	Yes	No
City of Battle Creek	1/20/1998	None	No	No
City of Bay City	2/6/1998	Bukowski Project-Day Escape	Yes	Yes
City of Belding	2/26/1997	None	No	No
City of Bessemer	12/21/1998	None	No	No
City of Bridgman	1/25/2000	None	No	No
City of Brighton	3/19/1998	None		
City of Bronson	2/8/1999	None	No	No
City of Buchanan	3/23/1999	Third Street Brownfield Plan & River Street Brownfield Plan	No	No
City of Buchanan	3/23/1999	River Street	No	No
City of Cadillac	12/2/1996	Plan	Yes	Yes
City of Clare	1/17/2000	None		
City of Coldwater	3/12/2001	None	No	No
City of Coloma	7/26/1999	None	No	No
City of Davison	5/11/1998	None	No	No
City of Dearborn	5/28/1997	Sharon Steel	Yes	No
City of Dearborn Heights	10/14/1997	EZ Mini Storage Project Ann Arbor Trail	Yes	No
City of East Jordan	1/5/1999	McDonald's Corp.	No	No
City of Eastpointe	3/17/1998	None	No	No
City of Eaton Rapids	9/14/1998	None	Yes	No
City of Escanaba	6/17/1999	None	No	No
City of Essexville	2/10/1998	None	No	No
City of Farmington	2/14/2000	Eleven Pines	Yes	No
City of Ferndale	09/00/1999	None	Yes	No
City of Flint	7/28/1997	None	No	No
City of Frankfort	4/17/2000	Brownfield Assessment Project	No	No
City of Gladstone	1/12/1998	None	No	No
City of Grand Haven	12/7/1998	Not Applicable At This Time	No	No
City of Grand Ledge	3/8/1999	None	No	No

BROWNFIELD REPORT 2002

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Grand Rapids	12/22/1998	None		
City of Grandville	9/14/1998	None	Yes	No
City of Harbor Beach	9/7/1999	Site#1-Waterfront Redevelopment	No	No
City of Hastings	8/25/1997	None	No	No
City of Hazel Park		None	No	No
City of Hillsdale	4/29/1999	None	No	No
City of Houghton	3/26/1997	Former High School Building	Yes	Yes
City of Ionia	4/8/1997	Gen Corp Site Property	Yes	No
City of Ironwood	9/8/1997	None	No	No
City of Ishpeming	8/6/1997	None	No	No
City of Jackson	4/2/1997	Jackson 21-Consumer Energy	No	No
City of Jackson	4/2/1997	Wolverine Technologies Project	No	No
City of Jackson	4/2/1997	Miller Trucking Project	No	No
City of Kalamazoo	6/1/1997	Amended and Restated Brownfield Plan	Yes	Yes
City of Kingsford	6/21/1999	None	No	No
City of Lansing	8/18/1997	None	No	No
City of Lapeer	1/19/1998	None	No	No
City of Litchfield	7/12/1999	Former Simpson Property, 126 Marshall, Former Union 76 Gas Station, Jonesville Road (M-99)	No	No
City of Marquette	9/8/1997	Lakeshore Inc.	No	No
City of Marquette	9/8/1997	Iron Bay Business Park	No	No
City of Marshall	12/15/1997	None	No	No
City of Melvindale	6/18/1997	None	No	No
City of Menominee	2/16/1998	Americinn	No	No
City of Midland	7/12/1999	None	No	No
City of Milan	3/24/1997	None	Yes	Yes
City of Monroe	1/21/1997	Site #9 - Marteq Project	Yes	No
City of Monroe	1/21/1997	Site #8 - Riverbend, LLC Project	Yes	No
City of Monroe	1/21/1997	Site #7 - 120 Maple Boulevard	Yes	No
City of Monroe	1/21/1997	Site #6 - Port of Monroe/Schonsheck Project	Yes	Yes
City of Monroe	1/21/1997	Site #5 - 214 East Elm Avenue	Yes	Yes
City of Monroe	1/21/1997	Site #4 - Mason Run Project	Yes	No

BROWNFIELD REPORT 2002

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Monroe	1/21/1997	Site #3 - Front/Monroe Street	Yes	No
City of Monroe	1/21/1997	Site #2 - 1151 West Elm Ave	No	No
City of Monroe	1/21/1997	Site #1 -815 North Telegraph Road	Yes	No
City of Montague	11/17/1997	Northland Castings Corp.Site CMI Grant	Yes	No
City of Morenci	9/22/1997	A-1 Auto Supply	No	No
City of Mount Clemens	None	Does not yet have a Brownfield Authority. Only a District	No	No
City of Mount Pleasant	5/12/1997	None	No	No
City of Muskegon	7/29/1997	None	No	No
City of Muskegon Heights	3/29/1999	None	Yes	No
City of Niles	7/28/1998	None	Yes	No
City of Norton Shores	12/2/1997	None	Yes	No
City of Otsego	5/18/1998	None	No	No
City of Owosso	4/21/1997	Owosso Cinema, Inc.	No	No
City of Parchment	9/28/1998	None	No	No
City of Pinconning	6/1/1998	Senior Housing Project	No	No
City of Plainwell	6/30/1997	None	No	No
City of Plymouth	12/16/1996	None	No	No
City of Pontiac	12/18/1997	USP Holland Trucking	Yes	No
City of Port Huron	3/10/1997	None	No	No
City of Riverview	4/7/1997	None	No	No
City of Rogers City	10/5/1998	None	No	No
City of Romulus	7/13/1998	None		
City of Roosevelt Park	9/15/1997	None	No	No
City of Saginaw	9/29/1997	None	No	No
City of Sault Ste. Marie	11/17/1997	Wloher Special Prod. &Soo Plastics	No	No
City of South Haven	5/18/1998	Karl Schmidt Unisia & Wyckoff Chemical Inc	Yes	Yes
City of Springfield	11/16/1998	None	No	No
City of St. Clair Shores	2/18/1997	None	No	No
City of St. Joseph	5/12/1997	Edgewater Brownfield Project & Island Pointe Marina Project	Yes	Yes
City of Sturgis	04/10/1997	None	Yes	No
City of Taylor	2/18/1997	Site #1 7000 Monroe	No	No

BROWNFIELD REPORT 2002

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Three Rivers	7/15/1997	None	Yes	No
City of Trenton	2/16/1998	DSC, Ltd. Site	No	No
City of Troy	10/00/1999	Troy Development	No	Yes
City of Wakefield	3/20/1998	None	No	No
City of Walker	6/23/1997	Louis Padnos Iron and Metal Co. Also H. Brown Project	Yes	No
City of Warren	3/28/2000	None	No	No
City of Watervliet	1/14/1997	Watervliet City	No	No
City of Westland	2/18/1997	None	No	No
City of Whitehall	9/22/1998	None	No	No
City of Wyandotte	8/25/1997	Brownfield Redevelopment Authority	No	No
City of Wyoming	5/19/1997	No	No	No
City of Ypsilanti	6/3/1997	None	No	No
County of Antrim	2/11/1999	None	No	No
County of Berrian	5/4/2000	None	No	No
County of Charlevoix	7/26/1999	None	No	No
County of Chippewa	12/12/1997	Chippewa County	No	No
County of Emmet	12/14/2000	No Project at this time	No	No
County of Grand Traverse	9/24/1997	River's Edge	Yes	Yes
County of Grand Traverse	9/24/1997	Harbor View Center	Yes	Yes
County of Grand Traverse	9/24/1997	Park Street	Yes	Yes
County of Grand Traverse	9/24/2002	CSXT/Boardman Banks	Yes	Yes
County of Grand Traverse	9/24/2002	SVN/Traverse House	Yes	Yes
County of Grand Traverse	9/24/2002	Copper Ridge	Yes	Yes
County of Grand Traverse	9/24/2002	VanWagner-Goble	Yes	Yes
County of Grand Traverse	9/24/2002	Bridgestone/Firestone	Yes	Yes
County of Grand Traverse	9/24/2002	Kirby Development/Boot Lake	Yes	Yes
County of Grand Traverse	9/24/2002	Melling Tool	Yes	No
County of Grand Traverse	9/24/2002	T.C.Cast	Yes	No
County of Grand Traverse	9/24/2002	Grand Traverse Auto	Yes	No
County of Grand Traverse	9/24/2002	Grand Traverse Commons	No	No
County of Gratiot	9/15/1998	None	Yes	No
County of Iron	10/12/1999	None	No	No
County of Jackson	7/14/1998	None	No	No
County of Saginaw	5/18/1999	Brownfield Redevelopment	Yes	No
County of Sanilac	2/16/2000	None	No	No

BROWNFIELD REPORT 2002

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
County of Washtenaw	5/19/1999	None		
County of Wayne	7/7/1997	None	No	No
Township of Battle Creek	9/15/1998	None		
Township of Bridgeport	12/8/1999	None	No	No
Township of Brownstown	9/15/1997	None	No	No
Township of Calumet	3/10/1999	None	Yes	No
Township of Carplake	9/16/1998	None	No	No
Township of Central Lake	7/10/1998	Brownfield Redevelopment Authority	No	No
Township of Coloma	11/12/1997	None	No	No
Township of Dalton	3/2/1996	None	No	No
Township of Emmett	4/8/1999	None	No	No
Township of Grosse Ile	2/21/1997	Grosse Ile Airport/Commerce Park Redevelopment and Reuse	Yes	Yes
Township of Hamburg	9/28/1999	None	No	No
Township of Hampton	10/12/1999	None	No	No
Township of Kalamazoo	8/25/1997	None	No	No
Township of Kawkawlin	5/15/2000	None	No	No
Township of Kinross	03/00/1999	None	No	No
Township of Lake	12/20/1999	None	No	No
Township of Marenisco	9/23/1999	None	No	No
Township of Midland	7/12/1999	None	No	No
Township of Monroe	7/21/1998	None	No	No
Township of Muskegon	4/20/1998	None	No	No
Township of Negaunee	6/17/1999	None	No	No
Township of Owosso	00/00/1998	Colonel's Property	Yes	No
Township of Redford	Feb-99	Rite on Industries	No	No
Township of Saginaw	5/24/1999	None		
Township of Sheridian	3/21/2000	None		
Township of Torch Lake	2/10/1999	None	No	No
Township of Tuscola	00/2000	None	Yes	No
Township of Vassar	10/28/1997	Destiny, LTD, Inc.	Yes	No
Township of Watervliet	4/21/1997	None	No	No
Township of Wells	6/22/1999	None	No	No
Township of Wells, Delta County	8/18/1999	None	No	No
Township of West Branch	8/18/1999	None	No	No

BROWNFIELD REPORT 2002

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
Township of West Branch, Ogemaw	05/27/1995	Old Refinery Site	No	No
Township of Ypsilanti	4/15/1997	None	No	No
Village of Baraga	8/9/1999	Baraga Brownfield Redevelopment	No	No
Village of Caro	12/30/1997	Gagetown Gas & Oil	Yes	No
Village of Dundee	2/4/1997	Site #1 Barger/Mercer & Site #2 Cabela's	Yes	No
Village of Elberta	3/20/1997	None	No	No
Village of Fowlerville	3/3/1997	None	No	No
Village of Holly	8/25/1998	None	No	No
Village of L'Anse	12/18/1998	None	No	No
Village of Mendon	9/13/1999	None	No	No
Village of Spring Lake	7/14/1997	Harbor Steel & Supply Corp.	No	No
Village of Vicksburg	3/2/1998	None	No	No
			36	13

BROWNFIELD REPORT 2003

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Allegan	3/23/1998	Water Street	Yes	Yes
City of Alpena	3/17/1997	None	No	No
City of Auburn	5/18/1999	None	No	No
City of Auburn Hills	9/21/1998	Lamppost L.C.C. Project & Manabal Auburn Hills IV		
City of Auburn Hills	9/21/1998	J.A.R. Development Site	Yes	Yes
City of Bangor	10/13/1997	None	Yes	No
City of Battle Creek	1/20/1998	Kraft Foods-Post Div. Redev.	Yes	No
City of Bay City	2/6/1998	Bukowski Project-Day Escape	Yes	Yes
City of Belding	2/26/1997	Belding Business Center	No	No
City of Bessemer	12/21/1998	None	No	No
City of Bridgman	1/25/2000	None	No	No
City of Brighton	3/19/1998	None	No	No
City of Bronson	2/8/1999	None	No	No
City of Buchanan	3/23/1999	Third Street Brownfield Plan & River Street Brownfield Plan	No	No
City of Buchanan	3/23/1999	Smith Street	No	No
City of Cadillac	12/2/1996	Plan	Yes	Yes
City of Clare	1/17/2000	None		
City of Coldwater	3/12/2001	None	No	No
City of Coloma	7/26/1999	None	No	No
City of Davison	5/11/1998	None	No	No
City of Dearborn	5/28/1997	Sharon Steel	Yes	Yes
City of Dearborn Heights	10/14/1997	EZ Mini Storage Project Ann Arbor Trail	Yes	No
City of East Jordan	1/5/1999	McDonald's Corp.	No	No
City of Eastpointe	3/17/1998	None	Yes	No
City of Eaton Rapids	9/14/1998	None	Yes	No
City of Escanaba	6/17/1999	None	No	No
City of Essexville	2/10/1998	None	No	No
City of Farmington	1/7/2002	None	No	No
City of Farmington Hills	2/14/2000	Eleven Pines	Yes	No
City of Ferndale	09/00/1999	None	Yes	No
City of Flint	7/28/1997	None	No	No
City of Frankfort	4/17/2000	Brownfield Assessment Project	No	No
City of Gladstone	8/11/1997	None	No	No
City of Grand Haven	12/7/1998	North End Redevelopment	No	No

BROWNFIELD REPORT 2003

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Grand Ledge	3/8/1999	None	No	No
City of Grand Rapids	12/22/1998	None		
City of Grandville	9/14/1998	None	Yes	No
City of Harbor Beach	8/2/1999	Site#1-Waterfront Redevelopment	No	No
City of Hastings	8/25/1997	None	No	No
City of Hazel Park	6/22/1998	None	No	No
City of Hillsdale	3/15/1999	None	Yes	No
City of Houghton	3/26/1997	Former High School Building	Yes	No
City of Ionia	4/8/1997	Gen Corp Site Property	Yes	No
City of Ironwood	9/8/1997	None	No	No
City of Ishpeming	8/6/1997	None	Yes	No
City of Jackson	4/2/1997	Jackson 21-Consumer Energy	No	No
City of Jackson	4/2/1997	Wolverine Technologies Project	No	No
City of Jackson	4/2/1997	Miller Trucking Project	No	No
City of Kalamazoo	6/1/1997	Amended and Restated Brownfield Plan	Yes	Yes
City of Kingsford	6/21/1999	None	No	No
City of Lansing	8/17/1997	None	No	No
City of Lapeer	1/19/1998	None	No	No
City of Litchfield	7/12/1999	Former Simpson Property, 126 Marshall, Former Union 76 Gas Station, Jonesville Road (M-99)	No	No
City of Marquette	7/27/1998	Lakeshore Inc.	No	No
City of Marquette	9/8/1997	Iron Bay Business Park	No	No
City of Marshall	12/15/1997	None	No	No
City of Melvindale	6/18/1997	None	No	No
City of Menominee	8/10/1998	Americinn	No	No
City of Midland	7/12/1999	None	No	No
City of Milan	3/24/1997	None	Yes	Yes
City of Monroe	1/21/1997	Site #9 - Marteq Project	Yes	No
City of Monroe	1/21/1997	Site #8 - Riverbend, LLC Project	Yes	No
City of Monroe	1/21/1997	Site #7 - 120 Maple Boulevard	Yes	No
City of Monroe	1/21/1997	Site #6 - Port of Monroe/Schonsheck Project	Yes	Yes
City of Monroe	1/21/1997	Site #5 - 214 East Elm Avenue	Yes	Yes

BROWNFIELD REPORT 2003

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of Monroe	1/21/1997	Site #4 - Mason Run Project	Yes	No
City of Monroe	1/21/1997	Site #3 - Front/Monroe Street	Yes	No
City of Monroe	1/21/1997	Site #2 - 1151 West Elm Ave	No	No
City of Monroe	1/21/1997	Site #1 -815 North Telegraph Road	Yes	No
City of Montague	11/17/1997	Northland Castings Corp.Site CMI Grant	Yes	No
City of Morenci	9/22/1997	A-1 Auto Supply	No	No
City of Mount Clemens	None		Yes	No
City of Mount Pleasant	5/12/1997	None	Yes	No
City of Muskegon	7/29/1997	None	No	No
City of Muskegon Heights	4/1/1999	Muskegon Heights Brownfield Authority	Yes	No
City of Muskegon Heights	3/29/1999	None	Yes	No
City of Niles	7/24/1998	None	No	No
City of Norton Shores	5/28/1998	Brownfield Redevelopment Authority	Yes	Yes
City of Norton Shores	12/2/1997	None	Yes	No
City of Otsego	5/18/1998	None	No	No
City of Owosso	4/21/1997	Owosso Cinema, Inc.	No	No
City of Owosso	4/21/1997	"6 Districts"	No	No
City of Parchment	9/28/1998	None	No	No
City of Pinconning	6/1/1998	Senior Housing Project	No	No
City of Plainwell	7/14/1997		No	No
City of Plainwell	6/30/1997	None	No	No
City of Plymouth	12/16/1996	None	No	No
City of Pontiac	12/18/1997	USP Holland Trucking	Yes	Yes
City of Port Huron	3/10/1997	None	Yes	No
City of Riverview	4/7/1997	None	No	No
City of Rogers City	10/5/1998	None	No	No
City of Romulus	7/13/1998	None	No	
City of Roosevelt Park	9/15/1997	None	No	No
City of Saginaw	9/29/1997	None	No	No
City of Sault Ste. Marie	11/17/1997	None	No	
City of Sault Ste. Marie	11/17/1997	Wloher Special Prod. &Soo Plastics	No	No

BROWNFIELD REPORT 2003

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
City of South Haven	5/18/1998	Karl Schmidt Unisia & Wyckoff Chemical Inc	Yes	Yes
City of Springfield	11/16/1998	None	No	No
City of St. Clair Shores	2/18/1997	None	No	No
City of St. Joseph	5/12/1997	Edgewater Brownfield Project & Island Pointe Marina Project	Yes	Yes
City of Sturgis	04/10/1997	None	Yes	No
City of Taylor	2/18/1997	Site #1 7000 Monroe	No	No
City of Three Rivers	6/16/1997	None	Yes	No
City of Three Rivers	7/15/1997	None	Yes	No
City of Trenton	5/17/1999	Trenton Brownfield	No	
City of Trenton	2/16/1998	DSC, Ltd. Site	No	No
City of Troy	1/28/1999	Ford Tractor	No	
City of Troy	10/00/1999	Troy Development	No	Yes
City of Wakefield	3/20/1998	None	No	No
City of Walker	6/23/1997	Louis Padnos Iron and Metal Co. Also H. Brown Project	Yes	No
City of Warren	3/28/2000	None	No	No
City of Watervliet	1/14/1997	Watervliet City	No	No
City of Westland	2/18/1997	None	No	No
City of Whitehall	9/22/1998	None	No	No
City of Wyandotte	8/25/1997	Brownfield Redevelopment Authority	Yes	No
City of Wyoming	3/16/1998	H & M Cleaners Site	Yes	No
City of Wyoming	5/19/1997	No	No	No
City of Ypsilanti	6/3/1997	None	No	No
County of Antrim	2/11/1999	None	No	No
County of Berrian	5/4/2000	None	No	No
County of Charlevoix	7/26/1999	None	No	No
County of Chippewa	12/12/1997	Chippewa County	No	No
County of Emmet	12/14/2000	No Project at this time	No	No
County of Grand Traverse	9/24/1997	River's Edge	Yes	Yes
County of Grand Traverse	9/24/1997	Harbor View Center	Yes	Yes
County of Grand Traverse	9/24/1997	Park Street	Yes	Yes
County of Grand Traverse	9/24/2002	CSXT/Boardman Banks	Yes	Yes
County of Grand Traverse	9/24/2002	SVN/Traverse House	Yes	Yes
County of Grand Traverse	9/24/2002	Copper Ridge	Yes	Yes

BROWNFIELD REPORT 2003

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
County of Grand Traverse	9/24/2002	VanWagner-Goble	Yes	Yes
County of Grand Traverse	9/24/2002	Bridgestone/Firestone	Yes	Yes
County of Grand Traverse	9/24/2002	Kirby Development/Boot Lake	Yes	Yes
County of Grand Traverse	9/24/2002	Melling Tool	Yes	No
County of Grand Traverse	9/24/2002	T.C.Cast	Yes	No
County of Grand Traverse	9/24/2002	Grand Traverse Auto	Yes	No
County of Grand Traverse	9/24/2002	Grand Traverse Commons	No	No
County of Gratiot	11/17/1998	None	No	No
County of Iron	12/28/1999	None	No	
County of Iron	10/12/1999	None	No	No
County of Jackson	7/14/1998	None	No	No
County of Mason	11/8/2000	CSX Depot-Whitehall Industries Project	Yes	No
County of Saginaw	5/18/1999	Brownfield Redevelopment	Yes	No
County of Sanilac	2/16/2000	None	No	No
County of Washtenaw	5/19/1999	None		
County of Wayne	6/5/1997	None	No	No
County of Wayne	7/7/1997	None	No	No
Township of Battle Creek	9/15/1998	None		
Township of Bridgeport	12/8/1999	None	No	No
Township of Brownstown	9/15/1997	None	No	No
Township of Calumet	3/10/1999	None	Yes	No
Township of Carplake	4/5/2000	None	No	No
Township of Carplake	9/16/1998	None	No	No
Township of Central Lake	7/10/1998	Brownfield Redevelopment Authority	No	No
Township of Coloma	11/12/1997	None	No	No
Township of Dalton	3/2/1996	None	No	No
Township of Emmett	4/8/1999	None	No	No
Township of Grosse Ile	2/21/1997	Grosse Ile Airport/Commerce Park Redevelopment and Reuse	Yes	Yes
Township of Hamburg	9/28/1999	None	No	No
Township of Hampton	10/12/1999	None	No	No
Township of Kalamazoo	8/25/1997	None	No	No
Township of Kawkawlin	6/12/2000	None	No	
Township of Kawkawlin	5/15/2000	None	No	No

BROWNFIELD REPORT 2003

Name of Authority	Date Authority Created	Project Name	Approved to Capture?	Incurred Eligible
Township of Kinross	03/00/1999	None	No	No
Township of Lake	10/13/1999	Former Hoover-Ugine Facility	Yes	No
Township of Lake	12/20/1999	None	No	No
Township of Marenisco	9/23/1999	None	No	No
Township of Midland	7/12/1999	None	No	No
Township of Monroe	7/21/1998	None	Yes	No
Township of Muskegon	4/20/1998	None	No	No
Township of Negaunee	6/17/1999	Old County Airport	No	No
Township of Owosso	5/11/1998	Colonel's Property	Yes	Yes
Township of Redford	4/29/1997	McDonald's Corp.	No	No
Township of Redford	4/29/1997	Volney Park Place	Yes	No
Township of Redford	Apr-97	Rite on Industries	No	No
Township of Saginaw	5/24/1999	None	No	
Township of Sheridan	3/21/2000	None		
Township of Torch Lake	2/10/1999	None	No	No
Township of Tuscola	11/21/2000	None	Yes	No
Township of Vassar	10/28/1997	Destiny, LTD, Inc.	Yes	No
Township of Watervliet	4/21/1997	None	No	No
Township of Wells	6/22/1999	None	No	No
Township of Wells, Delta County	8/18/1999	None	No	No
Township of West Branch	8/18/1999	None	No	No
Township of West Branch, Ogemaw	05/27/1999	Old Refinery Site	No	No
Township of Ypsilanti	4/15/1997	None	No	No
Village of Baraga	8/9/1999	Baraga Brownfield Redevelopment	No	No
Village of Caro	12/8/1997	Gagetown Gas & Oil	Yes	No
Village of Dundee	2/4/1997	Site #1 Barger/Mercer & Site #2 Cabela's	Yes	No
Village of Elberta	3/20/1997	None	No	No
Village of Fowlerville	3/3/1997	None	Yes	No
Village of Holly	8/25/1998	None	No	No
Village of L'Anse	12/18/1998	None	No	No
Village of Mendon	9/13/1999	None	No	No
Village of Spring Lake	7/14/1997	Harbor Steel & Supply Corp.	No	No
Village of Vicksburg	3/2/1998	None	No	No
			36	13

Name of Authority	Date Authority Created	Date of Fiscal Year End
City of Adrian	11/6/2000	6/30/2000
City of Allegan	3/23/1998	6/30/2003
City of Allen Park	2/27/2001	6/30/2001
City of Alpena	3/17/1997	6/30/2003
City of Auburn	5/18/1999	6/30/2004
City of Bangor	10/13/1997	6/30/2003
City of Battle Creek	1/20/1998	6/30/2003
City of Bay City	2/6/1998	6/30/2003
City of Belding	2/26/1997	6/30/2000
City of Belding	2/26/1997	6/30/2004
City of Benton Harbor	5/6/1998	6/30/2003
City of Bessemer	12/21/1998	6/30/2004
City of Bessemer	2/8/1999	6/30/2004
City of Bridgman	1/25/2000	6/30/2004
City of Bridgman	12/20/1999	6/30/2003
City of Brighton	3/19/1998	6/30/1998
City of Brighton	2/5/1998	6/30/2003
City of Bronson	2/8/1999	06/30/?
City of Buchanan	3/23/1999	6/30/2001
City of Buchanan	3/23/1999	6/30/2001
City of Cadillac	12/2/1996	6/30/2003
City of Cedar Springs	3/12/1998	6/30/2003
City of Davison	5/11/1998	6/30/2001
City of Davison	10/??/1997	6/30/2004
City of Dearborn	5/28/1997	6/30/2003
City of Dearborn	5/28/1997	6/30/2003
City of Dearborn Heights	10/14/1997	6/30/2004
City of Detroit	5/1/2002	
City of Dowagiac	7/8/2002	9/30/2003
City of East Jordan	1/5/1999	6/30/2003
City of East Lansing	8/16/2000	6/30/2003
City of Eastpointe	3/17/1998	
City of Eaton Rapids	9/14/1998	12/31/2004
City of Escanaba	6/17/1999	6/30/2003
City of Essexville	2/10/1998	6/30/2004
City of Farmington Hills	2/14/2000	6/30/2003
City of Fenton	7/25/2002	6/30/2004
City of Ferndale	09/00/1999	6/30/2000
City of Flint	7/28/1997	6/30/2001
City of Frankfort	4/17/2000	6/30/2001
City of Gladstone	8/11/1997	3/31/2004
City of Grand Haven	12/7/1998	6/30/2003

City of Grand Haven	12/7/1998	6/30/2003
City of Grand Ledge	3/8/1999	6/30/1999
City of Grand Rapids	5/6/1997	6/30/1998
City of Grandville	9/14/1998	6/30/1998
City of Harbor Beach	9/7/1999	6/30/2001
City of Harper Woods	3/18/2002	12/31/2003
City of Hastings	8/25/1997	6/30/2004
City of Hazel Park	7/2/1998	6/30/2004
City of Hillsdale	3/15/1999	6/30/2004
City of Holland	10/8/2001	6/30/2003
City of Houghton	3/26/1997	6/30/2003
City of Howell	3/11/2002	6/30/2003
City of Inkster	9/3/2002	6/30/2003
City of Ionia	4/8/1997	6/30/2000
City of Ionia		6/30/2004
City of Ironwood	9/8/1997	6/30/1997
City of Ishpeming	8/6/1997	12/31/2004
City of Jackson	4/2/1997	6/3/2001
City of Jackson	4/2/1997	6/3/2003
City of Jackson	4/2/1997	6/3/2003
City of Jackson	4/2/1997	6/30/2003
City of Jackson	4/2/1997	6/30/2003
City of Kalamazoo	6/1/1997	12/31/2000
City of Kingsford	6/21/1999	6/30/2000
City of Lansing	8/18/1997	6/30/1998
City of Lansing	8/17/1997	6/30/2003
City of Lapeer	1/19/1998	6/30/2004
City of Litchfield	7/12/1999	6/30/2000
City of Litchfield	7/12/1999	6/30/2003
City of Madison Hts.	10/8/2001	6/30/2004
City of Marquette	9/8/1997	6/30/2000
City of Marquette	9/8/1997	6/30/2000
City of Marquette	9/8/1997	6/30/2004
City of Marshall	12/15/1997	6/30/1998
City of Melvindale	6/18/1997	6/30/2003
City of Menominee	2/16/1998	6/30/2000
City of Menominee	2/16/1998	6/30/2003
City of Midland	7/12/1999	6/30/1999
City of Midland	6/21/1999	6/30/2003
City of Milan	3/24/1997	6/30/2003
City of Monroe	1/21/1997	
City of Monroe	1/21/1997	
City of Monroe	1/21/1997	6/30/2000
City of Monroe	1/21/1997	6/30/2000
City of Monroe	1/21/1997	6/30/2000

City of Monroe	1/21/1997	6/30/2000
City of Monroe	1/21/1997	6/30/2000
City of Monroe	1/21/1997	6/30/2000
City of Monroe	1/21/1997	6/30/2000
City of Montague	11/17/1997	6/30/2003
City of Morenci	9/22/1997	6/30/2004
City of Mount Clemens	None	None
City of Mount Pleasant	5/12/1997	12/31/2003
City of Munising	4/15/2002	6/30/2003
City of Muskegon	7/29/1997	12/31/2001
City of Muskegon	2/10/1998	12/31/2003
City of Muskegon Hts.	3/29/1999	12/31/2000
City of Muskegon Hts.	7/16/1999	12/30/2003
City of Niles	7/28/1998	9/30/2000
City of Niles	7/27/1998	9/30/2004
City of Norton Shores	12/2/1997	
City of Norton Shores	5/28/1998	6/30/2003
City of Oak Park	10/2/2000	6/30/2004
City of Otsego	5/18/1998	6/30/2000
City of Owosso	4/21/1997	6/30/2000
City of Owosso	4/21/1997	6/30/2003
City of Parchment	9/28/1998	6/30/2003
City of Pinconning	6/1/1998	6/30/2001
City of Plainwell	6/30/1997	7/1/1998
City of Plymouth	12/16/1996	6/30/2004
City of Pontiac	12/18/1997	6/30/2000
City of Pontiac	12/18/1997	6/30/2003
City of Port Huron	3/10/1997	6/30/2003
City of Riverview	4/7/1997	6/30/2004
City of Rochester Hills	12/1/2003	12/31/2003
City of Rogers City	10/5/1998	6/30/20003
City of Romulus	7/13/1998	6/30/1998
City of Roosevelt Park	9/15/1997	11/30/2003
City of Royal Oak	5/15/2000	6/30/2003
City of Saginaw	9/29/1997	6/30/1997
City of Saginaw	9/29/1997	6/30/2003
City of Sault Ste. Marie	11/17/1997	6/30/2003
City of Southfield	8/20/2001	6/30/2003
City of South Haven	5/18/1998	6/30/2000
City of Springfield	11/16/1998	6/30/2000
City of St. Clair Shores	2/18/1997	6/30/2004
City of St. Joseph	5/12/1997	6/30/2000
City of St. Joseph	5/12/1997	6/30/2003
City of St. Joseph	5/12/1997	6/30/2003
City of St. Joseph	5/12/1997	6/30/2003

[illegible]

County of Grand Traverse	12/31/2001	
County of Grand Traverse	12/31/2001	
County of Grand Traverse	12/31/2001	
County of Gratiot	9/15/1998	12/31/1998
County of Gratiot	11/17/1998	9/30/2003
County of Huron	8/22/2000	12/31/2003
County of Ingham	11/13/2001	12/31/2003
County of Iron	10/12/1999	12/31/1999
County of Jackson	7/14/1998	12/31/2003
County of Kalamazoo	8/21/2002	12/31/2003
County of Luce	4/15/2002	12/31/2004
County of Manistee	6/18/2002	9/30/2003
County of Mason	11/8/2000	12/31/2003
County of Mason	11/8/2000	12/31/2003
County of Mason	11/8/2000	12/31/2003
County of Mecosta	4/16/2001	12/31/2004
County of Oakland	11/29/2001	9/30/2003
County of Saginaw	5/18/1999	9/30/2000
County of Saginaw	10/13/1998	9/30/2003
County of Saginaw	10/13/1998	9/30/2002
County of Sanilac	2/16/2000	12/31/2003
County of Tuscola	12/7/2000	6/30/2003
County of Van Buren	6/10/2002	12/31/2004
County of Washtenaw	5/19/1999	12/31/2000
County of Washtenaw	4/7/1999	12/31/2003
County of Wayne	7/7/1997	9/30/2000
Township of Battle Creek	9/15/1998	12/31/2004
Township of Brownstown	9/15/1997	12/31/2000
Township of Brownstown	9/15/1997	1/31/2004
Township of Calumet	3/10/1999	12/31/2000
Township of Canton	3/25/2003	12/31/2003
Township of Carp Lake	9/16/1998	3/31/2000
Township of Carp Lake	4/5/2000	
Township of Central Lake	7/10/1998	3/31/1999
Township of Central Lake	9/2/1998	3/31/2004
Township of Chesterfield	12/17/2001	12/31/2004
Township of Coloma	11/12/1997	12/31/2000
Township of Dalton	3/2/1996	3/31/1996
Township of Delta	8/19/2002	12/31/2003
Township of Delhi	10/23/2001	12/31/2003
Township of East China	2/18/2002	12/31/2003
Township of Emmett	4/8/1999	3/30/2004
Township of Green Oak		5/30/2004
Township of Grosse Ile	2/21/1997	3/31/2000
Township of Grosse Ile	3/3/1997	3/31/2003

Township of Hamburg	9/28/1999	6/30/2004
Township of Hampton	10/12/1999	12/31/2000
Township of Highland	3/28/2001	12/31/2003
Township of Kalamazoo	8/25/1997	12/31/2003
Township of Kawkawlin	5/15/2000	3/31/2001
Township of Kawkawlin	6/12/2002	3/31/2004
Township of Kinross	03/00/1999	6/30/2000
Township of Lake	12/20/1999	12/31/1999
Township of Lake	10/13/1999	12/31/2003
Township of Lincoln	2/28/2001	3/31/2004
Township of Marenisco	9/23/1999	3/31/2001
Township of Midland	7/12/1999	6/30/2000
Township of Monroe	7/21/1998	12/31/2003
Township of Muskegon	4/20/1998	12/31/1998
Township of Negaunee	6/17/1999	3/31/2001
Township of Negaunee		3/31/2004
Township of Owosso	00/00/1998	3/31/2001
Township of Pinconning	6/9/1998	3/31/2004
Township of Redford	2/1/1999	3/31/2000
Township of Redford	4/29/1997	9/10/2002
Township of Republic		3/31/2004
Township of Saginaw	5/24/1999	3/31/2004
Township of Sheridan	3/21/2000	3/31/2000
Township of Sheridan	4/18/2000	3/31/2004
Township of Torch Lake	2/10/1999	3/31/2004
Township of Tuscola	00/2000	3/31/2001
Township of Vassar	10/28/1997	30-Jun
Township of Waterford	3/11/2002	
Township of Watervliet	4/21/1997	9/30/2000
Township of Wells	6/22/1999	3/31/2001
Township of Wells	8/18/1999	6/30/2004
Township of West Branch	5/27/1998	3/31/2001
Township of West Branch	5/27/1998	3/31/2004
Village of Baraga	8/9/1999	2/29/2004
Village of Caro	12/30/1997	6/30/2004
Village of Dundee	2/4/1997	2/29/2004
Village of Elberta	3/20/1997	2/28/2004
Village of Fowlerville	3/3/1997	12/31/1997
Village of Fowlerville		6/30/2004
Village of Holly	8/25/1998	6/30/1998
Village of L'Anse	12/18/1998	6/30/2003
Village of Mendon	9/13/1999	3/31/2003
Village of Milford	3/17/2003	6/30/2004
Village of Quincy	4/18/2001	3/31/2003
Village of Reese	12/7/2000	3/30/2004

Village of Tekonsha	7/10/2000	2/29/2004
Village of Vicksburg	3/2/1998	6/30/1998

Project Name	Apprv'd to Capture?	Incurred Eligible Expenses?
None	No	No
PD & Waterstreet	Yes	No
Clay Park Development	Yes	No
None	No	No
None	No	No
None	Yes	No
Kraft Foods-Post Div.	Yes	No
Bukowski Project-Day Escape	Yes	Yes
None	No	No
Belding Business Center	No	No
None	Yes	No
None	No	No
City of Bessemer Brownfield Project	No	No
None	No	No
None	Yes	No
None	No	No
None	No	No
None	No	No
Third Street & River Street	No	No
River Street	No	No
City of Cadillac Redevelopment Plan	Yes	No
None	No	No
None	No	No
None	No	No
Sharon Steel	Yes	No
West Village Commons	Yes	No
EZ Mini Storage Project Ann Arbor Trail	Yes	No
	Yes	No
National Copper Products	No	No
None	No	No
None	Yes	No
None	Yes	No
None	No	No
None	No	No
None	No	No
Eleven Pines	Yes	Yes
None	No	No
None	Yes	No
None	No	No
Brownfield Assessment Project	No	No
None	No	No
North End Redevelopment-GrandWater	Yes	No

North End Redevelopment-Boat Storage	No	No
None	No	No
Coca-Cola Brownfield Development Project	Yes	Yes
None	Yes	No
Site#1-Waterfront Redevelopment	No	No
Lowe's of Harper Woods	No	No
None	No	No
None	No	No
None	No	No
Lifesavers	Yes	No
Former High School Bldg.	Yes	No
Sibley Street Project	Yes	No
Annapolis Pointe	Yes	Yes
Gen Corp Site Property	Yes	No
None	Yes	No
None	No	No
None	Yes	No
Jackson 21-Consumer Energy	No	No
Wolverine Technologies Project	No	No
Miller Trucking Project	No	No
Consumer Energy Headquarters	Yes	No
Jackson Glass Works	No	No
Amended and Restated Brownfield Plan	Yes	Yes
None	No	No
None	No	No
Boys Training School Site	Yes	No
None	No	No
Station Jonesville Rd (M-99)	No	No
None	No	No
None	No	No
Lakeshore Inc.	No	No
Iron Bay Business Park	No	No
City of Marquette	No	No
None	No	No
None	No	No
Americinn	No	No
Goldberg Investments/American Motel & Suites	No	No
None	No	No
None	Yes	No
None	Yes	No
Site #9 - Marteq Project	Yes	No
Site #8 - Riverbend, LLC Project	Yes	No
Site #7 - 120 Maple Boulevard	Yes	No
Site #6 - Port of Monroe / Schonscheck Project	Yes	Yes
Site #5 - 214 East Elm Avenue	Yes	Yes

Site #4 - Mason Run Project	Yes	No
Site #3 - Front/Monroe Street	Yes	No
Site #2 - 1151 West Elm Ave	No	No
Site #1 -815 North Telegraph Road	Yes	No
Northland Castings Corp.Site CMI Grant	Yes	No
A-1 Auto Supply	No	No
Does not yet have a Brownfield. Only a District	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	Yes	No
None	Yes	No
None	No	No
None	Yes	No
Brownfield Redevelopment Authority	Yes	
None	No	No
None	No	No
Owosso Cinema, Inc.	No	No
"6 Districts"	No	No
None	No	No
Senior Housing Project	No	No
None	No	No
Daisy Sq. Old Village Industrial Park	No	No
USP Holland Trucking	Yes	No
481 N. Saginaw Redevelopment Site	No	No
None	Yes	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
City of Saginaw Brownfield Plan	No	No
Wlohart Special Prod. &Soo Plastics	No	No
Tel-Twelve Mall Dev.	No	No
Karl Schmidt Unisia & Wyckoff Chemical Inc	Yes	Yes
None	No	No
None	No	No
Edgewater Project & Island Pointe Marina Project	Yes	Yes
Island Pointe Marina	Yes	No
1302 Main Street	No	No
Edgewater	No	No

200 Water Street	No	No
Sims Road Industrial Proj.	No	No
None	Yes	No
Site #1 7000 Monroe	No	No
None	No	No
None	Yes	No
None	No	No
DSC, Ltd. Site	No	No
None	No	No
Troy Development	No	Yes
None	No	No
None	No	No
None	No	No
Project	Yes	No
None	No	No
None	No	No
Watervliet City	No	No
None	No	No
None	No	No
South Shore Dev.	No	No
Brownfield Redevelopment Authority	Yes	No
No	No	No
H & M Cleaners Site	No	No
None	No	No
Mead Johnson	No	No
None	No	No
Dwan Project	No	No
None	No	No
None	No	No
Berrien County Papermill	No	No
None	No	No
Chippewa County	No	No
None	No	No
None	No	No
No Project at this time	No	No
River's Edge	Yes	Yes
Harbor View Center	Yes	Yes
VanWagner-Goble	Yes	Yes
Park Street	Yes	Yes
CSXT/Boardman Banks	Yes	Yes
Bridgestone/Firestone	Yes	Yes
SVN/Traverse House	Yes	Yes
Copper Ridge	Yes	Yes
Kirby Development/Boot Lake	Yes	Yes
Melling Tool	Yes	Yes

T.C. Cast	Yes	Yes
Grand Traverse Auto	Yes	Yes
Grand Traverse Commons	Yes	Yes
None	Yes	No
Dixon Project	Yes	No
None	No	No
Authority	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
CSX Depot-Whitehall Industries Project	Yes	No
Fivco, LLC	No	No
Pere Marquette Lake, LLC	No	No
None	No	No
Former Sanicem Landfill	Yes	No
Brownfield Redevelopment	Yes	No
River Place C-Frankenmuth	Yes	Yes
McDonald's-Richland Twp		
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	Yes	No
None	No	No
None	No	No
None	No	No
None	No	No
Brownfield Redevelopment Authority	No	No
Brownfield Plan #1	No	No
Authroity	No	No
None	No	No
None	No	No
None	No	No
Brownfield Plan #1 Dell Road Site	No	No
The Preserve at Boulder Pond	Yes	Yes
None	No	No
None	No	No
Grosse Ile Airport/Commerce Park	Yes	Yes
Redevelopment & Refuse of the Grosse Ile Airport	No	Yes

None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
Former Hoover-Ugine Facility	Yes	No
Leco Brownfield	Yes	Yes
None	No	No
None	No	No
None	Yes	No
None	No	No
None	No	No
Old County Airport	No	No
Colonel's Property	Yes	No
Family Dollar & Video Rental	No	No
Rite on Industries	No	No
Volney Park Place	Yes	No
None	No	No
None	No	No
None	No	No
None	No	No
None	No	No
None	Yes	No
Destiny, LTD, Inc.	Yes	No
None	No	No
None	No	No
None	No	No
Delta County	No	No
Ogemaw, Old Refinery Site	No	No
None	No	No
Baraga Brownfield Redevelopment	No	No
Gagetown Gas & Oil	Yes	No
Site #1 Barger/Mercer & Site #2 Cabela's	Yes	Yes
None	No	No
None	No	No
None	Yes	No
None	No	No
None	No	No
None	No	No
Fifth Third Bank of Milford	No	No
Acorn Bldg. Components site(Speedrack)	Yes	No
Gettle-Sahr	No	No

Tekonsha Industrial Park	No	No
None	No	No
	84	33

Part 201 Brownfields Work Group

DRAFT Recommendations

February 1, 2007

New recommendations/additions are highlighted. Points of discussion and clarification needed at the next meeting are identified by comments in italics following the recommendation.

Public Act 381 and Brownfield Tax Credits

- The state should reauthorize the Brownfield Redevelopment Financing Act (P.A. 381 of 1996) and secure its ongoing operation by eliminating the sunset provision **on the approval of work plans for school tax capture** (December 31, 2007).
- Amendments are needed to improve operation of the Brownfield Redevelopment Financing Act (P.A. 381 of 1996) and should be incorporated in the Act's reauthorization. Among such amendments are the following:
 1. A property should be considered an eligible property and response activities to comply with due care and other Part 201 requirements to safely redevelop the property should be considered eligible activities under Act 381, regardless of whether the hazardous substances came to be present at the property as a result of agricultural practices that may not be considered a “release” under the agricultural practices exception to the definition of “release” under section 1(1)(bb)(iv) of Part 201. The statute should also be clarified to define commercial farming as a “commercial use” under Act 381. *[The DEQ believes the statute should be amended to prohibit the use of school taxes for development of agricultural property]*
 2. All reasonable costs for preparation and administration of brownfield plans and work plans should be considered eligible activity costs or otherwise eligible for reimbursement under a brownfield plan, wither performed by environmental consulting firms, law firms, or others. *[Under the current statute, the DEQ approves consultant oversight fees as eligible, but not consultant costs/legal fees associated with preparation or amendment of a brownfield plan.]*
 3. Modify Act 381 to define certain non-environmental eligible activities (demolition and asbestos/lead abatement) as eligible for non-core communities *[Would this be for all properties or only for facilities, blighted, or functionally obsolete properties?]*.
 4. Raise the dollar limit for annual local BRA administrative costs *[to \$200,000?]* or eliminate the limit altogether.
 5. Modify the “relocation of public building/operations” eligible activity [MCL 125.2652(m)(v)] to reflect the standing practice of MEDC/MEGA to not approve for school taxes but allow local tax capture without need for MEGA approval. *[Alternative language offered: Confirm that the “relocation of public building/operations” eligible activity [MCL 125.2652(m)(v)] is eligible for reimbursement with both school and non-school taxes, irrespective of the standing practice of MEDC/MEGA to not approve for school taxes but allow local tax capture]*

without need for MEGA approval. Also delete Act 381 requirement of MEGA approval of these costs unless school taxes are to be used for reimbursements]

6. Delete Act 381 requirement of MEGA approval for local tax capture from adjacent and contiguous properties and/or correct drafting (sec. 13(15)).

- Upon acceptance of these recommendations, the relevant state agencies should convene a working group with legislators, practitioners and other stakeholders to consider these recommendations, evaluate fiscal impact on the state budget, particularly the School Aid Fund, and, where appropriate, develop legislative amendment(s) for implementation.
- Amendments are needed to improve operation of the Brownfield Single Business Tax Act (P.A. 382 of 1996) and should be incorporated in the Act's reauthorization. Among such amendments are the following:
 1. Allow qualified taxpayers to claim a refundable tax credit at a discounted rate when they receive a Certificate of Completion. *[Currently, credits can either be carried forward or assigned to another taxpayer]*
 2. Conversion of the "small credit" (\$200,000 or less) to a ministerial, self-claiming process.
- The state should authorize continuation of Brownfield Tax Credits within the expiring Single Business Tax and institute an equivalent tax credit in the replacement Michigan Business Tax.

Brownfield Program Coordination and Facilitation

The present state government structure to implement the brownfield programs is confusing, therefore the following recommendations are offered to clarify the state's role and assign coordination responsibilities to one entity.

- A centralized entity [agency/department] in state government should be assigned the role of (1) regional brownfield facilitators, helping local units of government and developers navigate the brownfield redevelopment process and (2) liaisons with and coordinators among the relevant agencies involved in a project. This considerable role makes it necessary to have an adequate number of staff members and reasonable geographic service areas defined.
- The Governor should issue an executive directive to have each relevant agency identify brownfield redevelopment specialist(s) (BRS) who will work with the centralized entity [agency/department]. This new responsibility would require additional staff and funding resources.
- The state should draft a protocol that outlines what size or type of project will be granted the assistance of a regional brownfield facilitator *[Meaning a staff person in the "centralized entity" would only be assigned to assist with certain projects vs. any community looking for assistance?]* *[Is this recommendation directed at individual agencies or limited to the centralized entity?]*.
- The state should develop a one-stop website, maintained by the "centralized entity", which links to all current state brownfield and other redevelopment program information that would be a good resource for consultants, local units of government, and developers. *[Need more specifics on what the concern is. DEQ has a lot of*

information on its website and would be willing to have our site linked to other state agency sites]

- Brownfield redevelopment programs need to have a proactive education and outreach mission that helps promote the existing programs to local units of government and developers. This new activity would require additional staff and funding resources.

Brownfield Unified Application Process

- The state should create a unified brownfield redevelopment preliminary application that could be used by all state agencies and local units of government for brownfield-related program incentives, grants, and loans (business tax credits, notice of intent, 381 work plans, brownfield grants and loans etc.). This short application would contain at least enough information to determine which state agencies should attend a project scoping meeting.
- Upon receipt of the unified application, the regional brownfield facilitator should coordinate a scoping meeting with relevant state agencies, the applicant, and local unit of government within a reasonable time frame.
- The regional brownfield facilitator will draft a joint invitation letter to the applicant and include applications for specific programs the project is eligible for, as identified in the scoping meeting.

Funding and Eligible Activities

- The state should identify or develop new, stable, and ongoing revenue source(s) for funding state- and local unit-sponsored brownfield redevelopment programs.
- Allow the approval of a work plan for school tax capture to provide 2 mills of the captured State Education Tax (SET) to be used to support the administration of the state's brownfield programs (1 mill) and Michigan Department of Environmental Quality's (MDEQ) brownfield grants/loans (1 mill). [request Treasury reports to estimate how much money this would generate]
- The Michigan Economic Growth Authority (MEGA) board and MDEQ should adopt policies, in consultation with the Department of Treasury, that define a reasonable rate of interest as an eligible expense to be paid for by school tax capture and adopt a presumption that interest will be approved as part of work plan approvals absent extenuating circumstances.
- Some of the current core community redevelopment incentives should be expanded to include other developed, urbanized areas, while simultaneously increasing the dollar value of redevelopment incentives for the core communities, to enhance the policy objective of directing development investment toward urban centers. [Department of Treasury needs to rethink the core community concept as determined by the definition of "qualified local unit of government" in the Obsolete Property Rehabilitation Act (PA 146 of 2000) and how changes to it will affect the state budget] [the Part 201 work groups and/or MEDC should revisit the definition of "core communities" and perhaps base a definition on local economic indicators]
- The DEQ should consider financial incentives (such as an increased business tax credit and increased approval of additional response activities in a work plan) to clean up a property to "generic residential" status or legislation should be developed that

clarifies in which situations they will do this. [*The DEQ will now approve Act 381 work plans (use of school tax capture) for clean up to generic residential criteria for single family home redevelopment projects and does not believe additional financial incentives are necessary*]

P:\Part 201\Brownfields\Feb 12\Brownfields recs 1-17v5.doc Saved 2/1/2007 4:09 PM

2005 BROWNFIELD REPORT

	<u>Unit of Government</u>	<u>Amount Captured</u>	<u>Purpose of Expenditures</u>	<u>Payment on Outstanding Indebtedness</u>
1	Cty of Bay City	3,859	None spent	0
2	City of Farmington Hills	63,854	Atty and Eng Fees	7,939
3	City of Grand Rapids	66,129	General Administration	88,013
4	City of Jackson	845,825	None spent	0
5	City of Lapeer	103	General Administration	704
6	Cty of Milan	40,076	General Administration	3,312
7	City of Monroe	569,364	General Administration	362,150
8	Cty of Norton Shores	18,283	None spent	0
9	City of Port Huron	406	Eligible Activities	406
10	City of South Haven	40,428	Eligible Activities	40,428
11	Cty of Grand Traverse	2,353,285	General Administration	601,721
12	Cty of Grariot	4,553	Eligible Activities	34,229
13	Cty of Oakland	35,761	General Administration	35,761
14	East China Township	14,254	None spent	0
15	Grosse Ile Township	161,756	Eligible Activities	355,069
16	Lincoln Township	1,086	Eligible Activities	1,086
17	Redford Township	3,693	General Administration	3,693
18	Village of Dundee	102,737	Eligible Activities	94,346
	Total	4,325,452		
	Average	240,303		

BROWNFIELD REDEVELOPMENT FINANCING ACT
Act 381 of 1996

AN ACT to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2003, Act 259, Imd. Eff. Jan. 5, 2004.

The People of the State of Michigan enact:

125.2651 Short title.

Sec. 1. This act shall be known and may be cited as the “brownfield redevelopment financing act”.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2652 Definitions.

Sec. 2. As used in this act:

(a) "Additional response activities" means response activities identified as part of a brownfield plan that are in addition to baseline environmental assessment activities and due care activities for an eligible property.

(b) "Authority" means a brownfield redevelopment authority created under this act.

(c) "Baseline environmental assessment" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(d) "Baseline environmental assessment activities" means those response activities identified as part of a brownfield plan that are necessary to complete a baseline environmental assessment for an eligible property in the brownfield plan.

(e) "Blighted" means property that meets any of the following criteria:

(i) Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.

(ii) Is an attractive nuisance to children because of physical condition, use, or occupancy.

(iii) Is a fire hazard or is otherwise dangerous to the safety of persons or property.

(iv) Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.

(v) Is tax reverted property owned by a qualified local governmental unit, by a county, or by this state. The sale, lease, or transfer of tax reverted property by a qualified local governmental unit, county, or this state after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.

(vi) Is property owned or under the control of a land bank fast track authority under the land bank fast track act, whether or not located within a qualified local governmental unit. Property included within a brownfield plan prior to the date it meets the requirements of this subdivision to be eligible property shall be considered to become eligible property as of the date the property is determined to have been or becomes qualified as, or is combined with, other eligible property. The sale, lease, or transfer of the property by a land bank fast track authority after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.

(f) "Board" means the governing body of an authority.

(g) "Brownfield plan" means a plan that meets the requirements of section 13 and is adopted under section 14.

(h) "Captured taxable value" means the amount in 1 year by which the current taxable value of an eligible property subject to a brownfield plan, including the taxable value or assessed value, as appropriate, of the property for which specific taxes are paid in lieu of property taxes, exceeds the initial taxable value of that eligible property. The state tax commission shall prescribe the method for calculating captured taxable value.

(i) "Chief executive officer" means the mayor of a city, the village manager of a village, the township supervisor of a township, or the county executive of a county or, if the county does not have an elected county executive, the chairperson of the county board of commissioners.

(j) "Department" means the department of environmental quality.

(k) "Due care activities" means those response activities identified as part of a brownfield plan that are

necessary to allow the owner or operator of an eligible property in the plan to comply with the requirements of section 20107a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20107a.

(l) "Economic opportunity zone" means 1 or more parcels of property that meet all of the following:

(i) That together are 40 or more acres in size.

(ii) That contain a manufacturing facility that consists of 500,000 or more square feet.

(iii) That are located in a municipality that has a population of 30,000 or less and that is contiguous to a qualified local governmental unit.

(m) "Eligible activities" or "eligible activity" does not include activities related to multisource commercial hazardous waste disposal wells as that term is defined in section 62506a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.62506a, but means 1 or more of the following:

(i) Baseline environmental assessment activities.

(ii) Due care activities.

(iii) Additional response activities.

(iv) For eligible activities on eligible property that was used or is currently used for commercial, industrial, or residential purposes that is in a qualified local governmental unit, that is owned or under the control of a land bank fast track authority, or that is located in an economic opportunity zone, and is a facility, functionally obsolete, or blighted, and except for purposes of section 38d of the single business tax act, 1975 PA 228, MCL 208.38d, the following additional activities:

(A) Infrastructure improvements that directly benefit eligible property.

(B) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(C) Lead or asbestos abatement.

(D) Site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(E) Assistance to a land bank fast track authority in clearing or quieting title to, or selling or otherwise conveying, property owned or under the control of a land bank fast track authority.

(v) Relocation of public buildings or operations for economic development purposes with prior approval of the Michigan economic development authority.

(vi) For eligible activities on eligible property that is a qualified facility that is not located in a qualified local governmental unit and that is a facility, functionally obsolete, or blighted, the following additional activities:

(A) Infrastructure improvements that directly benefit eligible property.

(B) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(C) Lead or asbestos abatement.

(D) Site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(n) "Eligible property" means property for which eligible activities are identified under a brownfield plan that was used or is currently used for commercial, industrial, or residential purposes that is either in a qualified local governmental unit and is a facility, functionally obsolete, or blighted or is not in a qualified local governmental unit and is a facility, and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property or tax reverted property owned or under the control of a land bank fast track authority. Eligible property includes, to the extent included in the brownfield plan, personal property located on the property. Eligible property does not include qualified agricultural property exempt under section 7ee of the general property tax act, 1893 PA 206, MCL 211.7ee, from the tax levied by a local school district for school operating purposes to the extent provided under section 1211 of the revised school code, 1976 PA 451, MCL 380.1211.

(o) "Facility" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(p) "Fiscal year" means the fiscal year of the authority.

(q) "Functionally obsolete" means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or superadequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.

(r) "Governing body" means the elected body having legislative powers of a municipality creating an authority under this act.

(s) "Infrastructure improvements" means a street, road, sidewalk, parking facility, pedestrian mall, alley,

bridge, sewer, sewage treatment plant, property designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination, drainage system, waterway, waterline, water storage facility, rail line, utility line or pipeline, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, owned or used by a public agency or functionally connected to similar or supporting property owned or used by a public agency, or designed and dedicated to use by, for the benefit of, or for the protection of the health, welfare, or safety of the public generally, whether or not used by a single business entity, provided that any road, street, or bridge shall be continuously open to public access and that other property shall be located in public easements or rights-of-way and sized to accommodate reasonably foreseeable development of eligible property in adjoining areas.

(t) "Initial taxable value" means the taxable value of an eligible property identified in and subject to a brownfield plan at the time the resolution adding that eligible property in the brownfield plan is adopted, as shown either by the most recent assessment roll for which equalization has been completed at the time the resolution is adopted or, if provided by the brownfield plan, by the next assessment roll for which equalization will be completed following the date the resolution adding that eligible property in the brownfield plan is adopted. Property exempt from taxation at the time the initial taxable value is determined shall be included with the initial taxable value of zero. Property for which a specific tax is paid in lieu of property tax shall not be considered exempt from taxation. The state tax commission shall prescribe the method for calculating the initial taxable value of property for which a specific tax was paid in lieu of property tax.

(u) "Land bank fast track authority" means an authority created under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774.

(v) "Local taxes" means all taxes levied other than taxes levied for school operating purposes.

(w) "Municipality" means all of the following:

(i) A city.

(ii) A village.

(iii) A township in those areas of the township that are outside of a village.

(iv) A township in those areas of the township that are in a village upon the concurrence by resolution of the village in which the zone would be located.

(v) A county.

(x) "Owned or under the control of" means that a land bank fast track authority has 1 or more of the following:

(i) An ownership interest in the property.

(ii) A tax lien on the property.

(iii) A tax deed to the property.

(iv) A contract with this state or a political subdivision of this state to enforce a lien on the property.

(v) A right to collect delinquent taxes, penalties, or interest on the property.

(vi) The ability to exercise its authority over the property.

(y) "Qualified facility" means a landfill facility area of 140 or more contiguous acres that is located in a city and that contains a landfill, a material recycling facility, and an asphalt plant that are no longer in operation.

(z) "Qualified local governmental unit" means that term as defined in the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797.

(aa) "Qualified taxpayer" means that term as defined in sections 38d and 38g of the single business tax act, 1975 PA 228, MCL 208.38d and 208.38g.

(bb) "Remedial action plan" means a plan that meets both of the following requirements:

(i) Is a remedial action plan as that term is defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(ii) Describes each individual activity to be conducted to complete eligible activities and the associated costs of each individual activity.

(cc) "Response activity" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(dd) "Specific taxes" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572; the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668; the enterprise zone act, 1985 PA 224, MCL 125.2101 to 125.2123; 1953 PA 189, MCL 211.181 to 211.182; the technology park development act, 1984 PA 385, MCL 207.701 to 207.718; the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797; the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.786; or that portion of the tax levied under the tax reverted clean title act, 2003 PA 260, MCL 211.1021 to 211.1026, that is not required to be distributed to a land bank fast track authority.

(ee) "Tax increment revenues" means the amount of ad valorem property taxes and specific taxes

attributable to the application of the levy of all taxing jurisdictions upon the captured taxable value of each parcel of eligible property subject to a brownfield plan and personal property located on that property. Tax increment revenues exclude ad valorem property taxes specifically levied for the payment of principal of and interest on either obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit, and specific taxes attributable to those ad valorem property taxes. Tax increment revenues attributable to eligible property also exclude the amount of ad valorem property taxes or specific taxes captured by a downtown development authority, tax increment finance authority, or local development finance authority if those taxes were captured by these other authorities on the date that eligible property became subject to a brownfield plan under this act.

(ff) "Taxable value" means the value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(gg) "Taxes levied for school operating purposes" means all of the following:

(i) The taxes levied by a local school district for operating purposes.

(ii) The taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(iii) That portion of specific taxes attributable to taxes described under subparagraphs (i) and (ii).

(hh) "Work plan" means a plan that describes each individual activity to be conducted to complete eligible activities and the associated costs of each individual activity.

(ii) "Zone" means, for an authority established before June 6, 2000, a brownfield redevelopment zone designated under this act.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000;—Am. 2002, Act 254, Imd. Eff. May 1, 2002;—Am. 2003, Act 259, Imd. Eff. Jan. 5, 2004;—Am. 2003, Act 277, Imd. Eff. Jan. 8, 2004;—Am. 2005, Act 101, Imd. Eff. July 22, 2005;—Am. 2006, Act 32, Imd. Eff. Feb. 23, 2006.

125.2653 Brownfield redevelopment authority; establishment; exercise of powers; alteration or amendment of boundaries; authority as public body corporate; written agreement with county.

Sec. 3. (1) A municipality may establish 1 or more authorities. Except as provided in subsection (4), an authority with zones established before the effective date of the amendatory act that added subsection (2) shall exercise its powers within its designated zones. Except as provided in subsection (4), an authority established after the effective date of the amendatory act that added subsection (2) shall exercise its powers over any eligible property located in the municipality.

(2) An authority with zones established before the effective date of the amendatory act that added this subsection may alter or amend the boundaries of those zones if the authority holds a public hearing on the alteration or amendment using the procedures under section 4(2), (3), and (4).

(3) The authority shall be a public body corporate that may sue and be sued in a court of competent jurisdiction. The authority possesses all the powers necessary to carry out the purpose of its incorporation. The enumeration of a power in this act is not a limitation upon the general powers of the authority. The powers granted in this act to an authority may be exercised whether or not bonds are issued by the authority.

(4) An authority established by a county shall exercise its powers with respect to eligible property within a city, village, or township within the county only if that city, village, or township has concurred with the provisions of a brownfield plan that apply to that eligible property within the city, village, or township.

(5) A city, village, or township including a city, village, or township that is a qualified local governmental unit may enter into a written agreement with the county in which that city, village, or township is located to exercise the powers granted to that specific city, village, or township under this act.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000.

125.2654 Resolution by governing body; adoption; notice; public hearing; proceedings establishing authority; presumption of validity; exercise as essential governmental function; implementation or modification of plan.

Sec. 4. (1) A governing body may declare by resolution adopted by a majority of its members elected and serving its intention to create and provide for the operation of an authority.

(2) In the resolution of intent, the governing body shall set a date for holding a public hearing on the adoption of a proposed resolution creating the authority. Notice of the public hearing shall be published twice in a newspaper of general circulation in the municipality, not less than 20 nor more than 40 days before the date of the hearing. The notice shall state the date, time, and place of the hearing. At that hearing, a citizen, taxpayer, official from a taxing jurisdiction whose millage may be subject to capture under a brownfield plan, or property owner of the municipality has the right to be heard in regard to the establishment of the authority.

(3) Not more than 30 days after the public hearing, if the governing body intends to proceed with the

establishment of the authority, the governing body shall adopt, by majority vote of its members elected and serving, a resolution establishing the authority. The adoption of the resolution is subject to all applicable statutory or charter provisions with respect to the approval or disapproval by the chief executive or other officer of the municipality and the adoption of a resolution over his or her veto. This resolution shall be filed with the secretary of state promptly after its adoption.

(4) The proceedings establishing an authority shall be presumptively valid unless contested in a court of competent jurisdiction within 60 days after the filing of the resolution with the secretary of state.

(5) The exercise by an authority of the powers conferred by this act shall be considered to be an essential governmental function and benefit to, and a legitimate public purpose of, the state, the authority, and the municipality or units.

(6) If the board implements or modifies a brownfield plan that contains a qualified facility, the governing body shall mail notice of that implementation or modification to each taxing jurisdiction that levies ad valorem property taxes in the municipality. Not more than 60 days after receipt of that notice, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality in which the qualified facility is located. The resolution takes effect when filed with that clerk and remains effective until a copy of a resolution rescinding that resolution is filed with that clerk.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000;—Am. 2005, Act 101, Imd. Eff. July 22, 2005.

125.2655 Designation of board by governing body; membership; trustees; applicability of subsection (2); election of chairperson, vice-chairperson, and other officers; oath; procedural rules; meetings; special meetings; removal of member; records open to public; quorum.

Sec. 5. (1) Each authority shall be under the supervision and control of a board chosen by the governing body. Subject to subsection (2), the governing body may by majority vote designate 1 of the following to constitute the board:

(a) The board of directors of the economic development corporation of the municipality established under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.

(b) The trustees of the board of a downtown development authority established under 1975 PA 197, MCL 125.1651 to 125.1681.

(c) The trustees of the board of a tax increment financing authority established under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830.

(d) The trustees of the board of a local development financing authority established under the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174.

(e) Not less than 5 nor more than 9 persons appointed by the chief executive officer of the municipality subject to the approval of the governing body. Of the initial members appointed, an equal number, as near as practicable, shall be appointed for 1 year, 2 years, and 3 years. A member shall hold office until the member's successor is appointed and qualified. Thereafter, each member shall serve for a term of 3 years. An appointment to fill a vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for reasonable actual and necessary expenses.

(2) The governing body of a municipality in which a board described in subsection (1)(b), (c), or (d) has been established shall designate the trustees of 1 of those boards to constitute the board. This subsection shall only apply in the event a board described in subsection (1)(b), (c), or (d) is authorized under subsection (1) to serve as the board of the authority.

(3) The members shall elect 1 of their membership as chairperson and another as vice-chairperson. The members may designate and elect other officers of the board as they consider necessary.

(4) Before assuming the duties of office, a member shall qualify by taking and subscribing to the oath of office provided in section 1 of article XI of the state constitution of 1963.

(5) The board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held when called in the manner provided in the rules of the board. Meetings of the board shall be open to the public, in accordance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(6) After notice and an opportunity to be heard, a member of the board appointed under subsection (1)(e) may be removed before the expiration of his or her term for cause by the governing body. Removal of a member is subject to review by the circuit court.

(7) All financial records of an authority shall be open to the public under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(8) A majority of the members of the board appointed and serving shall constitute a quorum. Action may be taken by the board at a meeting upon a vote of the majority of the members present.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000.

125.2656 Appointment or employment of director, treasurer, secretary, personnel, and consultants; assistance provided by municipality; retirement and insurance programs.

Sec. 6. (1) The board may employ and fix the compensation of a director of the authority, subject to the approval of the governing body creating the authority. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of the office, the director shall take and subscribe to the oath of office provided in section 1 of article XI of the state constitution of 1963 and shall furnish bond by posting a bond in the sum specified in the resolution establishing the authority. The bond shall be payable to the authority for the use and benefit of the authority, approved by the board, and filed with the clerk of the municipality. The premium on the bond shall be considered an operating expense of the authority, payable from funds available to the authority for expenses of operation. The director shall be the chief officer of the authority. Subject to the approval of the board, the director shall supervise and be responsible for the preparation of plans and the performance of the functions of the authority in the manner authorized by this act. The director shall attend the meetings of the board and shall render to the board and to the governing body a regular report covering the activities and financial condition of the authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of the office, the acting director shall take and subscribe to the oath of office referenced in this subsection and furnish bond as required of the director. The director shall furnish the board with information or reports governing the operation of the authority, as the board requires.

(2) The board may appoint or employ and fix the compensation of a treasurer who shall keep the financial records of the authority and who, together with the director, if a director is appointed, shall approve all vouchers for the expenditure of funds of the authority. The treasurer shall perform other duties as may be delegated by the board and shall furnish bond in an amount as prescribed by the board.

(3) The board may appoint or employ and fix the compensation of a secretary who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the treasurer. The secretary shall attend meetings of the board and keep a record of its proceedings and shall perform other duties as may be delegated by the board.

(4) The board may employ and retain personnel and consultants as considered necessary by the board, including legal counsel to advise the board in the proper performance of its duties and to represent the authority in actions brought by or against the authority.

(5) Upon request of the authority, the municipality may provide assistance to the authority in the performance of its powers and duties.

(6) The employees of an authority may be eligible to participate in municipal retirement and insurance programs of the municipality as if they were civil service employees on the same basis as civil service employees.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2657 Powers of authority; determining captured taxable value; transfer of municipality funds to authority.

Sec. 7. (1) An authority may do 1 or more of the following:

(a) Adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its business.

(b) Incur and expend funds to pay or reimburse a public or private person for costs of eligible activities attributable to an eligible property.

(c) As approved by the municipality, incur costs and expend funds from the local site remediation revolving fund created under section 8 for purposes authorized in that section.

(d) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties, including, but not limited to, lease purchase agreements, land contracts, installment sales agreements, and loan agreements.

(e) On terms and conditions and in a manner and for consideration the authority considers proper or for no monetary consideration, own, mortgage, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests in the property, that the authority determines are reasonably necessary to achieve the purposes of this act, and grant or acquire licenses, easements, and options

with respect to the property.

(f) Acquire, maintain, repair, or operate all devices necessary to ensure continued eligible activities on eligible property.

(g) Accept grants and donations of property, labor, or other things of value from a public or private source.

(h) Incur costs in connection with the performance of its authorized functions, including, but not limited to, administrative costs and architect, engineer, legal, or accounting fees.

(i) Study, develop, and prepare the reports or plans the authority considers necessary to assist it in the exercise of its powers under this act and to monitor and evaluate the progress under this act.

(j) Procure insurance against loss in connection with the authority's property, assets, or activities.

(k) Invest the money of the authority at the authority's discretion in obligations determined proper by the authority, and name and use depositories for its money.

(l) Make loans, participate in the making of loans, undertake commitments to make loans and mortgages, buy and sell loans and mortgages at public or private sale, rewrite loans and mortgages, discharge loans and mortgages, foreclose on a mortgage, commence an action to protect or enforce a right conferred upon the authority by a law, mortgage, loan, contract, or other agreement, bid for and purchase property that was the subject of the mortgage at a foreclosure or other sale, acquire and take possession of the property and in that event compute, administer, pay the principal and interest on obligations incurred in connection with that property, and dispose of and otherwise deal with the property, in a manner necessary or desirable to protect the interests of the authority.

(m) Borrow money and issue its bonds and notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, in anticipation of collection of tax increment revenues.

(n) Do all other things necessary or convenient to achieve the objectives and purposes of the authority, this act, or other laws that relate to the purposes and responsibilities of the authority.

(2) The authority shall determine the captured taxable value of each parcel of eligible property. The captured taxable value of a parcel shall not be less than zero.

(3) A municipality may transfer the funds of the municipality to an authority or to another person on behalf of the authority in anticipation of repayment by the authority.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000;—Am. 2002, Act 413, Imd. Eff. June 3, 2002.

125.2658 Local site remediation revolving fund.

Sec. 8. (1) An authority may establish a local site remediation revolving fund. A local site remediation revolving fund shall consist of money available under section 13(5) and may also consist of money appropriated or otherwise made available from public or private sources. An authority shall separately account for money deposited to the fund that is directly derived from tax increment revenues levied for school operating purposes.

(2) The local site remediation revolving fund may be used only to pay the costs of eligible activities on eligible property that is located within the municipality.

(3) An authority or a municipality on behalf of an authority may incur an obligation for the purpose of funding a local site remediation revolving fund.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000.

125.2659 Authority as instrumentality of political subdivision.

Sec. 9. The authority shall be considered an instrumentality of a political subdivision for purposes of Act No. 227 of the Public Acts of 1972, being sections 213.321 to 213.332 of the Michigan Compiled Laws.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2660 Taking, transfer, and use of private property.

Sec. 10. A municipality may transfer private property taken under the uniform condemnation procedures act, Act No. 87 of the Public Acts of 1980, being sections 213.51 to 213.77 of the Michigan Compiled Laws, to the authority for use as authorized in the brownfield plan, on terms and conditions it considers appropriate. The taking, transfer, and use shall be considered necessary for public purposes and for the benefit of the public.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2661 Financing sources of authority activities.

Sec. 11. The activities of the authority shall be financed from 1 or more of the following sources:

- (a) Contributions, contractual payments, or appropriations to the authority for the performance of its functions or to pay the costs of a brownfield plan of the authority.
- (b) Revenues from a property, building, or facility owned, leased, licensed, or operated by the authority or under its control, subject to the limitations imposed upon the authority by trusts or other agreements.
- (c) Subject to the limitations imposed under sections 8, 13, and 15, 1 or both of the following:
 - (i) Tax increment revenues received under a brownfield plan established under sections 13 and 14.
 - (ii) Proceeds of tax increment bonds and notes issued under section 17.
- (d) Proceeds of revenue bonds and notes issued under section 12.
- (e) Revenue available in the local site remediation revolving fund for the costs described in section 8.
- (f) Money obtained from all other sources approved by the governing body of the municipality or otherwise authorized by law for use by the authority or the municipality to finance activities authorized under this act.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2662 Bonds and notes of authority.

Sec. 12. (1) The authority may borrow money and issue its negotiable revenue bonds or notes to finance all or part of the costs of eligible activities or of another activity of the authority under this act. Revenue bonds and notes issued under this section are subject to the revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140. The costs that may be financed by the issuance of revenue bonds or notes may include the costs of purchasing, acquiring, constructing, improving, enlarging, extending, or repairing property in connection with an activity authorized under this act; engineering, architectural, legal, accounting, or financial expenses; the costs necessary or incidental to the borrowing of money; interest on the bonds or notes during the period of construction; a reserve for payment of principal and interest on the bonds or notes; and a reserve for operation and maintenance until sufficient revenues have developed. The authority may secure the bonds and notes by mortgage, assignment, or pledge of the property and all money, revenues, or income received in connection with the property.

(2) A pledge made by the authority shall be valid and binding from the time the pledge is made. The money or property pledged by the authority immediately shall be subject to the lien of the pledge without a physical delivery, filing, or further act. The lien of a pledge shall be valid and binding as against parties having claims in tort, contract, or otherwise against the authority, irrespective of whether the parties have notice of the lien. Filing of the resolution, the trust agreement, or another instrument by which a pledge is created is not required.

(3) Bonds or notes issued under this section shall be exempt from all taxation in this state except estate and transfer taxes, and the interest on the bonds or notes shall be exempt from all taxation in this state, notwithstanding that the interest may be subject to federal income tax.

(4) Unless otherwise provided by a majority vote of the members of its governing body, the municipality shall not be liable on bonds or notes of the authority issued under this section and the bonds or notes shall not be a debt of the municipality.

(5) The bonds and notes of the authority may be invested in by the state treasurer and all other public officers, state agencies and political subdivisions, insurance companies, banks, savings and loan associations, investment companies, and fiduciaries and trustees, and may be deposited with and received by the state treasurer and all other public officers and the agencies and political subdivisions of this state for all purposes for which the deposit of bonds or notes is authorized. The authority granted by this section is supplemental and in addition to all other authority granted by law.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2002, Act 413, Imd. Eff. June 3, 2002.

125.2663 Brownfield plan; provisions.

Sec. 13. (1) Subject to section 15, the board may implement a brownfield plan. The brownfield plan may apply to 1 or more parcels of eligible property whether or not those parcels of eligible property are contiguous and may be amended to apply to additional parcels of eligible property. Except as otherwise authorized by this act, if more than 1 parcel of eligible property is included within the plan, the tax increment revenues under the plan shall be determined individually for each parcel of eligible property. Each plan or an amendment to a plan shall be approved by the governing body of the municipality and shall contain all of the following:

- (a) A description of the costs of the plan intended to be paid for with the tax increment revenues or, for a plan for eligible properties qualified on the basis that the property is owned or under the control of a land bank fast track authority, a listing of all eligible activities that may be conducted for 1 or more of the eligible properties subject to the plan.

(b) A brief summary of the eligible activities that are proposed for each eligible property or, for a plan for eligible properties qualified on the basis that the property is owned or under the control of a land bank fast track authority, a brief summary of eligible activities conducted for 1 or more of the eligible properties subject to the plan.

(c) An estimate of the captured taxable value and tax increment revenues for each year of the plan from each parcel of eligible property, or from all eligible properties qualified on the basis that the property is owned or under the control of a land bank fast track authority, and in the aggregate. The plan may provide for the use of part or all of the captured taxable value, including deposits in the local site remediation revolving fund, but the portion intended to be used shall be clearly stated in the plan. The plan shall not provide either for an exclusion from captured taxable value of a portion of the captured taxable value or for an exclusion of the tax levy of 1 or more taxing jurisdictions unless the tax levy is excluded from tax increment revenues in section 2(dd), or unless the tax levy is excluded from capture under section 15.

(d) The method by which the costs of the plan will be financed, including a description of any advances made or anticipated to be made for the costs of the plan from the municipality.

(e) The maximum amount of note or bonded indebtedness to be incurred, if any.

(f) The duration of the brownfield plan for eligible activities on eligible property, including the beginning date of the capture of tax increment revenues, which beginning date shall not be later than 5 years following the date of the resolution approving the plan amendment related to a particular eligible property and which duration shall not exceed the lesser of the period authorized under subsections (4) and (5) or 30 years.

(g) An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the eligible property is located.

(h) A legal description of each parcel of eligible property to which the plan applies, a map showing the location and dimensions of each eligible property, a statement of the characteristics that qualify the property as eligible property, and a statement of whether personal property is included as part of the eligible property. If the project is on property that is functionally obsolete, the taxpayer shall include, with the application, an affidavit signed by a level 3 or level 4 assessor, that states that it is the assessor's expert opinion that the property is functionally obsolete and the underlying basis for that opinion.

(i) Estimates of the number of persons residing on each eligible property to which the plan applies and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, the plan shall include a demographic survey of the persons to be displaced, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

(j) A plan for establishing priority for the relocation of persons displaced by implementation of the plan.

(k) Provision for the costs of relocating persons displaced by implementation of the plan, and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646.

(l) A strategy for compliance with 1972 PA 227, MCL 213.321 to 213.332.

(m) A description of proposed use of the local site remediation revolving fund.

(n) Other material that the authority or governing body considers pertinent.

(2) The percentage of all taxes levied on a parcel of eligible property for school operating expenses that is captured and used under a brownfield plan and all tax increment finance plans under 1975 PA 197, MCL 125.1651 to 125.1681, the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, or the local development financing act, 1986 PA 281, MCL 125.2151 to 125.2174, shall not be greater than the combination of the plans' percentage capture and use of all local taxes levied for purposes other than for the payment of principal of and interest on either obligations approved by the electors or obligations pledging the unlimited taxing power of the local unit of government. This subsection shall apply only when taxes levied for school operating purposes are subject to capture under section 15.

(3) Except as provided in this subsection and subsections (5), (15), and (16), tax increment revenues related to a brownfield plan shall be used only for costs of eligible activities attributable to the eligible property, the captured taxable value of which produces the tax increment revenues, including the cost of principal of and interest on any obligation issued by the authority to pay the costs of eligible activities attributable to the eligible property, and the reasonable costs of preparing a work plan or remedial action plan for the eligible property, including the actual cost of the review of the work plan or remedial action plan under section 15. For property owned or under the control of a land bank fast track authority, tax increment

revenues related to a brownfield plan may be used for eligible activities attributable to any eligible property owned or under the control of the land bank fast track authority, the cost of principal of and interest on any obligation issued by the authority to pay the costs of eligible activities, the reasonable costs of preparing a work plan or remedial action plan, and the actual cost of the review of the work plan or remedial action plan under section 15. Tax increment revenues captured from taxes levied by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, or taxes levied by a local school district shall not be used for eligible activities described in section 2(m)(iv)(E).

(4) Except as provided in subsection (5), a brownfield plan shall not authorize the capture of tax increment revenue from eligible property after the year in which the total amount of tax increment revenues captured is equal to the sum of the costs permitted to be funded with tax increment revenues under this act.

(5) A brownfield plan may authorize the capture of additional tax increment revenue from an eligible property in excess of the amount authorized under subsection (4) during the time of capture for the purpose of paying the costs permitted under subsection (3), or for not more than 5 years after the time that capture is required for the purpose of paying the costs permitted under subsection (3), or both. Excess revenues captured under this subsection shall be deposited in the local site remediation revolving fund created under section 8 and used for the purposes authorized in section 8. If tax increment revenues attributable to taxes levied for school operating purposes from eligible property are captured by the authority for purposes authorized under subsection (3), the tax increment revenues captured for deposit in the local site remediation revolving fund also may include tax increment revenues attributable to taxes levied for school operating purposes in an amount not greater than the tax increment revenues levied for school operating purposes captured from the eligible property by the authority for the purposes authorized under subsection (3). Excess tax increment revenues from taxes levied for school operating purposes for eligible activities authorized under subsection (15) by the Michigan economic growth authority shall not be captured for deposit in the local site remediation revolving fund.

(6) An authority shall not expend tax increment revenues to acquire or prepare eligible property, unless the acquisition or preparation is an eligible activity.

(7) Costs of eligible activities attributable to eligible property include all costs that are necessary or related to a release from the eligible property, including eligible activities on properties affected by a release from the eligible property. For purposes of this subsection, "release" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(8) Costs of a response activity paid with tax increment revenues that are captured pursuant to subsection (3) may be recovered from a person who is liable for the costs of eligible activities at an eligible property. This state or an authority may undertake cost recovery for tax increment revenue captured. Before an authority or this state may institute a cost recovery action, it must provide the other with 120 days' notice. This state or an authority that recovers costs under this subsection shall apply those recovered costs to the following, in the following order of priority:

(a) The reasonable attorney fees and costs incurred by this state or an authority in obtaining the cost recovery.

(b) One of the following:

(i) If an authority undertakes the cost recovery action, the authority shall deposit the remaining recovered funds into the local site remediation fund created pursuant to section 8, if such a fund has been established by the authority. If a local site remediation fund has not been established, the authority shall disburse the remaining recovered funds to the local taxing jurisdictions in the proportion that the local taxing jurisdictions' taxes were captured.

(ii) If this state undertakes a cost recovery action, this state shall deposit the remaining recovered funds into the revitalization revolving loan fund established under section 20108a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20108a.

(iii) If this state and an authority each undertake a cost recovery action, undertake a cost recovery action jointly, or 1 on behalf of the other, the amount of any remaining recovered funds shall be deposited pursuant to subparagraphs (i) and (ii) in the proportion that the tax increment revenues being recovered represent local taxes and taxes levied for school operating purposes, respectively.

(9) Approval of the brownfield plan or an amendment to a brownfield plan shall be in accordance with the notice and approval provisions of this section and section 14.

(10) Before approving a brownfield plan for an eligible property, the governing body shall hold a public hearing on the brownfield plan. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall be not less than 20 or more than 40 days before the date set for the hearing.

(11) Notice of the time and place of the hearing on a brownfield plan shall contain all of the following:

(a) A description of the property to which the plan applies in relation to existing or proposed highways, streets, streams, or otherwise.

(b) A statement that maps, plats, and a description of the brownfield plan are available for public inspection at a place designated in the notice and that all aspects of the brownfield plan are open for discussion at the public hearing required by this section.

(c) Any other information that the governing body considers appropriate.

(12) At the time set for the hearing on the brownfield plan required under subsection (10), the governing body shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the brownfield plan. The governing body shall make and preserve a record of the public hearing, including all data presented at the hearing.

(13) Not less than 20 days before the hearing on the brownfield plan, the governing body shall provide notice of the hearing to the taxing jurisdictions that levy taxes subject to capture under this act. The authority shall fully inform the taxing jurisdictions about the fiscal and economic implications of the proposed brownfield plan. At that hearing, an official from a taxing jurisdiction with millage that would be subject to capture under this act has the right to be heard in regard to the adoption of the brownfield plan.

(14) The authority shall not enter into agreements with the taxing jurisdictions and the governing body of the municipality to share a portion of the captured taxable value of an eligible property. Upon adoption of the plan, the collection and transmission of the amount of tax increment revenues as specified in this act shall be binding on all taxing units levying ad valorem property taxes or specific taxes against property located in the zone.

(15) Except as provided by subsection (18), if a brownfield plan includes the capture of taxes levied for school operating purposes or the use of tax increment revenues related to a brownfield plan for the cost of eligible activities attributable to more than 1 eligible property that is adjacent and contiguous to all other eligible properties covered by the development agreement, whether or not the captured taxes are levied for school operating purposes, approval of a work plan by the Michigan economic growth authority before January 1, 2008 to use school operating taxes and a development agreement between the municipality and an owner or developer of eligible property are required if the revenues will be used for infrastructure improvements that directly benefit eligible property, demolition of structures that is not response activity under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, lead or asbestos abatement, or site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101. The eligible activities to be conducted described in this subsection shall be consistent with the work plan submitted by the authority to the Michigan economic growth authority. The department's approval is not required for the capture of taxes levied for school operating purposes for eligible activities described in this subsection.

(16) The limitations of section 15(1) upon use of tax increment revenues by an authority shall not apply to the following costs and expenses:

(a) In each fiscal year of the authority, \$75,000.00 for the following purposes for tax increment revenues attributable to local taxes:

(i) Reasonable and actual administrative and operating expenses of the authority.

(ii) Baseline environmental assessments, due care activities, and additional response activities related directly to work conducted on prospective eligible properties prior to approval of the brownfield plan.

(b) Reasonable costs of preparing a work plan or remedial action plan or the cost of the review of a work plan for which tax increment revenues may be used under section 13(3).

(17) A brownfield authority may reimburse advances, with or without interest, made by a municipality under section 7(3), a land bank fast track authority, or any other person or entity for costs of eligible activities with any source of revenue available for use of the brownfield authority under this act and may enter into agreements related to those reimbursements. A reimbursement agreement for these purposes and the obligations under that reimbursement agreement shall not be subject to section 12 or the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(18) If a brownfield plan includes the capture of taxes levied for school operating purposes, approval of a work plan by the Michigan economic growth authority in the manner required under section 15(14) to (16) is required in order to use tax increment revenues attributable to taxes levied for school operating purposes for purposes of eligible activities described in section 2(m)(iv)(E) for 1 or more parcels of eligible property. The work plan to be submitted to the Michigan economic growth authority under this subsection shall be in a form prescribed by the Michigan economic growth authority. The eligible activities to be conducted and described in this subsection shall be consistent with the work plan submitted by the authority to the Michigan economic growth authority. The department's approval is not required for the capture of taxes levied for school operating purposes for eligible activities described in this section.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000;—Am. 2002, Act 727, Imd. Eff. Dec. 30, 2002;—Am. 2003, Act 259, Imd. Eff. Jan. 5, 2004;—Am. 2005, Act 101, Imd. Eff. July 22, 2005;—Am. 2006, Act 32, Imd. Eff. Feb. 23, 2006;—Am. 2006, Act 467, Imd. Eff. Dec. 20, 2006.

125.2664 Brownfield plan as public purpose; determination; amendments to plan; validity of procedure, notice, and findings; presumption.

Sec. 14. (1) Not less than 10 days after notice of the proposed brownfield plan is provided to the taxing jurisdictions, the governing body shall determine whether the plan constitutes a public purpose. If the governing body determines that the plan does not constitute a public purpose, the governing body shall reject the plan. If the governing body determines that the plan constitutes a public purpose, the governing body may then approve or reject the plan, or approve it with modification, by resolution, based on the following considerations:

- (a) Whether the plan meets the requirements of section 13.
- (b) Whether the proposed method of financing the costs of eligible activities is feasible and the authority has the ability to arrange the financing.
- (c) Whether the costs of eligible activities proposed are reasonable and necessary to carry out the purposes of this act.
- (d) Whether the amount of captured taxable value estimated to result from adoption of the plan is reasonable.

(2) Except as provided in this subsection, amendments to an approved brownfield plan must be submitted by the authority to the governing body for approval or rejection following the same notice necessary for approval or rejection of the original plan. Notice is not required for revisions in the estimates of captured taxable value or tax increment revenues.

(3) The procedure, adequacy of notice, and findings with respect to purpose and captured taxable value shall be presumptively valid unless contested in a court of competent jurisdiction within 60 days after adoption of the resolution adopting the brownfield plan. An amendment, adopted by resolution, to a conclusive plan shall likewise be conclusive unless contested within 60 days after adoption of the resolution adopting the amendment. If a resolution adopting an amendment to the plan is contested, the original resolution adopting the plan is not therefore open to contest.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2665 Prohibited conduct; work plan or remedial action plan; documents to be submitted for approval; factors to be considered in plan review; written request pertaining to baseline environmental assessment activities or due care activities; additional response activities; reimbursement of costs to review work plan or remedial action plan; report; distribution of remaining funds; use of school operating taxes.

Sec. 15. (1) An authority shall not do any of the following:

(a) For eligible activities not described in section 13(15), use taxes levied for school operating purposes captured from eligible property unless the eligible activities to be conducted on the eligible property are eligible activities under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, consistent with a work plan or remedial action plan approved by the department after July 24, 1996 and before January 1, 2008.

(b) For eligible activities not described in section 13(15), use funds from a local site remediation revolving fund that are derived from taxes levied for school operating purposes unless the eligible activities to be conducted are eligible activities under part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, consistent with a work plan or remedial action plan that has been approved by the department after July 24, 1996.

(c) Use funds from a local site remediation revolving fund created pursuant to section 8 that are derived from taxes levied for school operating purposes for the eligible activities described in section 13(15) unless the eligible activities to be conducted are consistent with a work plan approved by the Michigan economic growth authority.

(d) Use taxes captured from eligible property to pay for eligible activities conducted before approval of the brownfield plan except for costs described in section 13(16).

(e) Use taxes levied for school operating purposes captured from eligible property for response activities that benefit a party liable under section 20126 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20126, except that a municipality that established the authority, for taxes levied after 2004, may use taxes levied for school operating purposes captured from eligible property for response activities associated with a landfill.

(f) Use taxes captured from eligible property to pay for administrative and operating activities of the authority or the municipality on behalf of the authority except for costs described in section 13(16) and for the reasonable costs for preparing a work plan or remedial action plan for the eligible property, including the actual cost of the review of the work plan or remedial action plan under this section.

(2) To seek department approval of a work plan under subsection (1)(a) or (b) or remedial action plan, the authority shall submit all of the following for each eligible property:

(a) A copy of the brownfield plan.

(b) Current ownership information for each eligible property and a summary of available information on proposed future ownership, including the amount of any delinquent taxes, interest, and penalties that may be due.

(c) A summary of available information on the historical and current use of each eligible property, including a brief summary of site conditions and what is known about environmental contamination as that term is defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(d) Existing and proposed future zoning for each eligible property.

(e) A brief summary of the proposed redevelopment and future use for each eligible property.

(f) A separate work plan or remedial action plan, or part of a work plan or remedial action plan, for each eligible activity to be undertaken.

(3) Upon receipt of a request for approval of a work plan or remedial action plan under subsection (2) that pertains to baseline environmental assessment activities or due care activities, or both, or a portion of a work plan or remedial action plan that pertains to only baseline environmental assessment activities or due care activities, or both, the department shall provide 1 of the following written responses to the requesting authority within 60 days:

(a) An unconditional approval.

(b) A conditional approval that delineates specific necessary modifications to the work plan or remedial action plan, including, but not limited to, individual activities to be added or deleted from the work plan or remedial action plan and revision of costs.

(c) If the work plan or remedial action plan lacks sufficient information for the department to respond under subdivision (a) or (b), a letter stating with specificity the necessary additions or changes to the work plan or remedial action plan to be submitted before a plan will be considered by the department.

(4) In its review of a work plan or remedial action plan, the department shall consider all of the following:

(a) Whether the individual activities included in the work plan or remedial action plan are sufficient to complete the eligible activity.

(b) Whether each individual activity included in the work plan or remedial action plan is required to complete the eligible activity.

(c) Whether the cost for each individual activity is reasonable.

(5) If the department fails to provide a written response under subsection (3) within 60 days after receipt of a request for approval of a work plan or remedial action plan that pertains to baseline environmental assessment activities or due care activities, or both, the authority may proceed with the baseline environmental assessment activities or due care activities, or both, as outlined in the work plan or remedial action plan as submitted for approval. Except as provided in subsection (6), baseline environmental assessment activities or due care activities, or both, conducted pursuant to a work plan or remedial action plan that was submitted to the department for approval but for which the department failed to provide a written response under subsection (3) shall be considered approved for the purposes of subsection (1).

(6) The department may issue a written response to a work plan or remedial action plan that pertains to baseline environmental assessment activities or due care activities, or both, more than 60 days but less than 6 months after receipt of a request for approval. If the department issues a written response under this subsection, the authority is not required to conduct individual activities that are in addition to the individual activities included in the work plan or remedial action plan as it was submitted for approval and failure to conduct these additional activities shall not affect the authority's ability to capture taxes under subsection (1) for the eligible activities described in the work plan or remedial action plan initially submitted under subsection (5). In addition, at the option of the authority, these additional individual activities shall be considered part of the work plan or remedial action plan of the authority and approved for purposes of subsection (1). However, any response by the department under this subsection that identifies additional individual activities that must be carried out to satisfy the baseline environmental assessment or due care requirements, or both, of part 201 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142, must be satisfactorily completed for the baseline environmental assessment or due care activities, or both, to be considered acceptable for the purposes of compliance with part 201 of the

natural resources and environmental protection act, 1994 PA 451, MCL 324.20101 to 324.20142.

(7) If the department issues a written response under subsection (6) to a work plan or remedial action plan that pertains to baseline environmental assessment activities or due care activities, or both, and if the department's written response modifies an individual activity proposed by the work plan or remedial action plan of the authority in a manner that reduces or eliminates a proposed response activity, the authority must complete those individual activities included in the baseline environmental assessment or due care activities, or both, in accordance with the department's response in order for that portion of the work plan or remedial action plan to be considered approved for purposes of subsection (1), unless 1 or more of the following conditions apply:

(a) Obligations for the individual activity have been issued by the authority, or by a municipality on behalf of the authority, to fund the individual activity prior to issuance of the department's response.

(b) The individual activity has commenced or payment for the work has been irrevocably obligated prior to issuance of the department's response.

(8) It shall be in the sole discretion of an authority to propose to undertake additional response activities at an eligible property under a brownfield plan. The department shall not require a work plan or remedial action plan for either baseline environmental assessment activities or due care activities, or both, to include additional response activities.

(9) The department may reject the portion of a work plan or remedial action plan that includes additional response activities and may consider the level of risk reduction that will be accomplished by the additional response activities in determining whether to approve or reject the work plan or remedial action plan or a portion of a plan.

(10) The department's approval or rejection of a work plan under subsection (1)(a) or (b) or remedial action plan for additional response activities is final.

(11) The authority shall reimburse the department for the actual cost incurred by the department or a contractor of the department to review a work plan under subsection (1)(a) or (b) or remedial action plan under this section. Funds paid to the department under this subsection shall be deposited in the cost recovery subaccount of the cleanup and redevelopment fund created under section 20108 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20108.

(12) The department shall submit a report each year on or before March 1 to each member of the legislature that contains all of the following:

(a) A compilation and summary of all the information submitted under subsection (2).

(b) The amount of revenue this state would have received if taxes levied for school operating purposes had not been captured under this section for the previous calendar year.

(c) The amount of revenue each local governmental unit would have received if taxes levied for school operating purposes had not been captured under this section for the previous calendar year.

(13) To seek Michigan economic growth authority approval of a work plan under subsection (1)(c) or section 13(15), the authority shall submit all of the following for each eligible property:

(a) A copy of the brownfield plan.

(b) Current ownership information for each eligible property and a summary of available information on proposed future ownership, including the amount of any delinquent taxes, interest, and penalties that may be due.

(c) A summary of available information on the historical and current use of each eligible property.

(d) Existing and proposed future zoning for each eligible property.

(e) A brief summary of the proposed redevelopment and future use for each eligible property.

(f) A separate work plan, or part of a work plan, for each eligible activity described in section 13(15) to be undertaken.

(g) A copy of the development agreement required under section 13(15), which shall include, but is not limited to, a detailed summary of any and all ownership interests, monetary considerations, fees, revenue and cost sharing, charges, or other financial arrangements or other consideration between the parties.

(14) Upon receipt of a request for approval of a work plan, the Michigan economic growth authority shall provide 1 of the following written responses to the requesting authority within 65 days:

(a) An unconditional approval that includes an enumeration of eligible activities and a maximum allowable capture amount.

(b) A conditional approval that delineates specific necessary modifications to the work plan, including, but not limited to, individual activities to be added or deleted from the work plan and revision of costs.

(c) A denial and a letter stating with specificity the reason for the denial. If a work plan is denied under this subsection, the work plan may be subsequently resubmitted.

(15) In its review of a work plan under subsection (1)(c) or section 13(15), the Michigan economic growth

authority shall consider the following criteria to the extent reasonably applicable to the type of activities proposed as part of that work plan when approving or denying a work plan:

(a) Whether the individual activities included in the work plan are sufficient to complete the eligible activity.

(b) Whether each individual activity included in the work plan is required to complete the eligible activity.

(c) Whether the cost for each individual activity is reasonable.

(d) The overall benefit to the public.

(e) The extent of reuse of vacant buildings and redevelopment of blighted property.

(f) Creation of jobs.

(g) Whether the eligible property is in an area of high unemployment.

(h) The level and extent of contamination alleviated by or in connection with the eligible activities.

(i) The level of private sector contribution.

(j) The cost gap that exists between the site and a similar greenfield site as determined by the Michigan economic growth authority.

(k) If the developer or projected occupant of the new development is moving from another location in this state, whether the move will create a brownfield.

(l) Whether the financial statements of the developer, landowner, or corporate entity indicate that the developer, landowner, or corporate entity is financially sound and that the project of the developer, landowner, or corporate entity that is included in the work plan is economically sound.

(m) Other state and local incentives available to the developer, landowner, or corporate entity for the project of the developer, landowner, or corporate entity that is included in the work plan.

(n) Any other criteria that the Michigan economic growth authority considers appropriate for the determination of eligibility or for approval of the work plan.

(16) If the Michigan economic growth authority fails to provide a written response under subsection (14) within 65 days after receipt of a request for approval of a work plan, the eligible activities shall be considered approved and the authority may proceed with the eligible activities described in section 13(15) as outlined in the work plan as submitted for approval.

(17) The Michigan economic growth authority's approval of a work plan under section 13(15) is final.

(18) The authority shall reimburse the Michigan economic growth authority for the actual cost incurred by the Michigan economic growth authority or a contractor of the Michigan economic growth authority to review a work plan under this section.

(19) The Michigan economic growth authority shall submit a report each year on or before March 1 to each member of the legislature that contains all of the following:

(a) A compilation and summary of all the information submitted under subsection (13).

(b) The amount of revenue this state would have received if taxes levied for school operating purposes had not been captured under this section for the previous calendar year.

(c) The amount of revenue each local governmental unit would have received if taxes levied for school operating purposes had not been captured under this section for the previous calendar year.

(20) All taxes levied for school operating purposes that are not used for eligible activities consistent with a work plan approved by the department or the Michigan economic growth authority or for the payment of interest under section 13 and that are not deposited in a local site remediation revolving fund shall be distributed proportionately between the local school district and the school aid fund.

(21) An authority shall not use taxes levied for school operating purposes captured from eligible property for eligible activities for a qualified facility or for eligible activities for property located in an economic opportunity zone.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000;—Am. 2002, Act 727, Imd. Eff. Dec. 30, 2002;—Am. 2003, Act 283, Imd. Eff. Jan. 8, 2004;—Am. 2005, Act 101, Imd. Eff. July 22, 2005;—Am. 2006, Act 32, Imd. Eff. Feb. 23, 2006.

125.2666 Tax increment revenues; transmission to authority; expenditure; reversion of surplus funds; abolishment of plan; financial status report; collection of financial reports by department and state tax commission.

Sec. 16. (1) The municipal and county treasurers shall transmit tax increment revenues to the authority not more than 30 days after tax increment revenues are collected.

(2) The authority shall expend the tax increment revenues received only in accordance with the brownfield plan. All surplus funds not deposited in the local site remediation revolving fund of the authority under section 13(5) shall revert proportionately to the respective taxing bodies, except as provided in section 15(20). The governing body may abolish the plan when it finds that the purposes for which the plan was established

are accomplished. However, the plan shall not be abolished until the principal and interest on bonds issued under section 17 and all other obligations to which the tax increment revenues are pledged have been paid or funds sufficient to make the payment have been segregated.

(3) The authority shall submit annually to the governing body and the state tax commission a financial report on the status of the activities of the authority. The report shall include all of the following:

- (a) The amount and source of tax increment revenues received.
- (b) The amount and purpose of expenditures of tax increment revenues.
- (c) The amount of principal and interest on all outstanding indebtedness.
- (d) The initial taxable value of all eligible property subject to the brownfield plan.
- (e) The captured taxable value realized by the authority.
- (f) Information concerning any transfer of ownership of or interest in each eligible property.
- (g) All additional information that the governing body or the state tax commission considers necessary.

(4) The state tax commission shall collect the financial reports submitted under subsection (3), compile and analyze the information contained in those reports, and submit annually a report based on that information to all of the following standing committees of the legislature:

(a) In the house of representatives, the committees responsible for natural resource management, conservation, environmental protection, and taxation.

(b) In the senate, the committees responsible for natural resource management, conservation, environmental protection, and taxation.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000.

125.2667 Authorization, issuance, and sale of tax increment bonds and notes.

Sec. 17. (1) By resolution of its board, the authority may authorize, issue, and sell its tax increment bonds and notes, subject to the limitations set forth in this section, to finance the purposes of a brownfield plan. The bonds or notes shall be payable in the manner and upon the terms and conditions determined, or within the parameters specified, by the authority in the resolution authorizing issuance of the bonds or notes. The resolution authorizing the bonds shall create a lien on the tax increment revenues and other revenues pledged by the resolution that shall be a statutory lien and shall be a first lien subject only to liens previously created. The resolution may provide the terms upon which additional bonds or notes may be issued of equal standing and parity of lien as to the tax increment revenues and other revenues pledged under the resolution.

(2) The municipality, by majority vote of the members of its governing body, may make a limited tax pledge to support the authority's tax increment bonds or notes or, if authorized by the voters of the municipality, may pledge its unlimited tax full faith and credit for the payment of the principal of and interest on the authority's tax increment bonds or notes.

(3) The bonds or notes issued under this section shall be secured by 1 or more sources of revenue identified in section 7 as sources of financing of activities of the authority, as provided by resolution of the authority.

(4) The bonds and notes of the authority may be invested in by the state treasurer and all other public officers, state agencies and political subdivisions, insurance companies, banks, savings and loan associations, investment companies, and fiduciaries and trustees, and may be deposited with and received by the state treasurer and all other public officers and the agencies and political subdivisions of this state for 1 or more of the purposes for which the deposit of bonds or notes is authorized. The authority granted by this section is supplemental and in addition to all other authority granted by law.

(5) The bonds and notes issued under this section are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, except section 503 of the revised municipal finance act, 2001 PA 34, MCL 141.2503.

(6) For bonds issued under this act, the first principal amount maturity date or mandatory redemption date shall be not later than 5 years after the date of issuance and some principal amount shall mature or be subject to mandatory redemption in each subsequent year of the term of the bond.

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2002, Act 413, Imd. Eff. June 3, 2002.

Compiler's note: The following communication was received:

“September 12, 1999

The Honorable John Engler

Capitol Building

Lansing, Michigan

Subject: PA 381 of 1996

Dear Governor Engler:

A review of the Senate and House Journals has revealed an error in Enrolled Senate Bill 923, which was filed with the Secretary of State on July 24, 1996, and assigned Public Act No. 381 of 1996. The bill presented to the Governor on July 17, 1996, did not accurately

reflect what was agreed to by both houses of the Legislature. Specifically, Section 17, subsection (1), the third sentence incorrectly stated:
'The terms of the municipal finance act, Act No. 202 of the Public Acts of 1943, apply to bonds issued under this section.'

The sentence agreed to by both houses is:

'Except for the requirement of the municipal finance act, Act No. 202 of the Public Acts of 1943, being sections 131.1 to 139.3 of the Michigan Compiled Laws, that the authority receive the approval or an exception from approval from the department of treasury prior to the issuance of bonds under this subsection, the terms of Act No. 202 of the Public Acts of 1943 shall not apply to bonds issued under this section.'

Therefore, we are presenting a correct Enrolled Senate Bill 923 for your signature and filing with the Secretary of State. Upon filing, the defective Enrolled Senate Bill 923 will be replaced with the correct Enrolled Senate Bill 923 and assigned the same public act number. The effective date of the Public Act No. 381 of 1996 will be the date the correct bill is filed.

This procedure ensures the integrity of the process while providing notification to the public. We apologize for any inconvenience this may have caused you or the citizens of the state of Michigan. If you have any questions, please feel free to contact us.

Sincerely,

Carol Morey Viventi Melvin J. DeStigter

Secretary of the Senate Clerk of the House of Representatives

cc: Candice S. Miller, Secretary of State"

125.2668 Operating budget.

Sec. 18. (1) The authority shall prepare and approve a budget for the operation of the authority for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Funds of a municipality shall not be included in the budget of the authority except those funds authorized in this act or by the governing body of the municipality.

(2) The governing body of a municipality may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds of the authority, other than those committed for designated purposes, which cost shall be paid annually by the authority under an appropriate item in its budget.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2669 Dissolution of authority; distribution of tax revenues and interest.

Sec. 19. (1) An authority that completes the purposes for which it was organized shall be dissolved by resolution of the governing body. Except as provided in subsection (2), the property and assets of the authority remaining after the satisfaction of the obligations of the authority shall belong to the municipality or to an agency or instrumentality designated by resolution of the municipality.

(2) Tax increment revenues and the interest earned on tax increment revenues shall be distributed as provided under section 16(2).

History: 1996, Act 381, Eff. Sept. 16, 1996;—Am. 2000, Act 145, Imd. Eff. June 6, 2000.

125.2670 Enforcement proceedings.

Sec. 20. The state tax commission may institute proceedings to compel enforcement of the requirements of this act.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2671 Taxes levied before December 31, 1996.

Sec. 21. An authority shall not capture tax increment revenues from taxes levied before December 31, 1996.

History: 1996, Act 381, Eff. Sept. 16, 1996.

125.2672 Conditional effective date.

Sec. 22. This act shall not take effect unless Senate Bill No. 919 of the 88th Legislature is enacted into law.

History: 1996, Act 381, Eff. Sept. 16, 1996.